THE HISTORIE OF THE COUNCEL OF TRENT.

IN EIGHT BOOKES.

In which (besides the ordinarie Acts of the Councell) *are declared many notable Occurrences, which happened in* Christendome, during the space of fourtie yeeres and more.

And particularly, the practices of the Court of Rome, *to* hinder the reformation of their errours, and to maintaine their greatnesse.

Written in Italian by *Pietro Soave Polano*, and faithfully translated *into English by* NATHANAEL BRENT.

Unto this THIRD EDITION are added divers observable Passages, *and Epistles, concerning the truth of this Historie, specified in the next Page.*

LONDON,
Printed by ROBERT YOUNG and JOHN RAVVORTH,
for RICHARD WHITTAKER, and are to be sold at
the Kings armes in *Pauls* Church-yard.
1640.

THEOLOGICAL SEMINARY

THE APPENDIX OF THIS Third Edition, conteining;

1 AN *Epistle of* Gregory *the first, Bishop of* Rome, *to* Maurice *the Emperour.*

2 *A passage of the History of* Fr. Guicciardine *Florentine, concerning Pope* Alex. 6. *left out of his third Booke in the printed Copies.*

3 *A second passage of the same Author, conteining a large discourse of the means, whereby the Popes of* Rome *attained to their greatnesse, that they now enjoy, left out of the fourth Booke.*

4 *A third passage of the same Author, left out of his* 10. *Booke.*

5 *Certaine passages out of the Letters of the Lords* de Lansac, Pibrac, Ferrier, &c. *taken forth of the* Instructions, *and* Missives *of the Kings of* France, *and their Ambassadours sent to the Councell of* Trent, *Published in French, An.* 1608.

6 Andr. Dudithius, *Bishop of* Quinqueccleſiæ *in* Hungary, *his Testimony of the Councell of* Trent, *in his Epistle to* Maximilian 2. *Emperour.*

7 *An Epistle of Bishop* Juell *unto Seignior* Scipio, *a Senatour of* Venice, *touching the causes moving the Church of* England *to refuse Communion with the Councell of* Trent: *now first published according to the Originall annexed.*

8 *Lastly, the foresaid Epistle of* Dudithius, *written by himselfe in Latine.*

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TO HIS MOST SACRED MAJESTIE.

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I Offer to your MAIESTIES view the trueſt and moſt judicious Eccleſiaſticall Hiſtorie, that either moderne times, or any antiquitie hath afforded to the world; impaired (I confeſſe) in beauty, as being tranſported out of the naturall luſtre both of ſtile and phraſe, by a rude and unskilfull Tranſlator, but nothing altered in the truth and ſincerity of the matter, which it handleth.

The Author, a ſtranger to theſe parts, converſant onely where the Goſpel cannot bee truly preached, was moved to write it, as for the common good of all Chriſtendome, ſo particularly in contemplation of your Majeſties ſervice. For as you hold the higheſt place amongſt all Kings and Princes, and are Gods greateſt Lievtenant under the whole cope of heaven, ſo your admirable perfections, of VViſdom, Learning, Juſtice, and Religion (with which your Royall breaſt is inriched beyond all compariſon to bee made with any others) caſt forth their bright ſhining rayes into all Countreys and quarters of the world, and rouſe up the endeavours of the worthieſt, even in places the fartheſt remote, to labour in the building up, or repairing of Gods Church, ſo farre as the tyranny of Antichriſt, under which they live, and the ſafety of their lives,

which nature bindes them to preſerve, doth give them leave. In which number, is the Author of this preſent Treatiſe. The end and ſcope whereof being the glory of God (by diſcovery of thoſe practiſes, which, for many yeeres, have beene concealed by the enemies of CHRIST) the advancement of true pietie and Religion, I know not to whom it may be addreſſed more juſtly, then to the greateſt Majeſty upon the whole ſurface of the earth, and the chiefeſt *Defender* of the true faith amongſt us.

And ſurely if ever any book (except only the Book of God) did deſerve the protection of ſo excellent a Patron, it is this Hiſtorie of the Councell of *Trent*. For, of all the things in the world, Religion is of the greateſt conſequence, and, in Religion, Oecumenicall Councels (next after the holy VVrit) have ever carried the greateſt ſway; which being true, and guided by the *holy Ghoſt*, have beene cauſes of infinite bleſsings, but being pretended onely, and governed by humane policies and Art, have brought forth as many miſchiefes and afflictions to the Church of God.

Now in this of *Trent* it is plainely diſcovered, that the *Biſhops* of *Rome* (of whom eight lived and died, during the time of the Synod and treaty thereof) in ſtead of being CHRISTS holy *Vicars*, as they pretend, have beene the greateſt, and moſt pernicious *quack ſalving juglers* that ever the earth did beare.

It would be infinite to relate the Stratagems they uſed to divert it, before it began; their poſtings to and fro, to hinder the propoſing of thoſe things which they thought would diminiſh their profit, or pull downe their pride; their policies, to enthrall the Prelates and Divines; by hopes and feares; their diligence in ſending their adherents to *Trent*, and ſo by procuring a *major* part of voices, to make themſelves the abſolute Lords of all the determinations that paſſed. By which devices that which was deſired by godly men, as the onely remedy againſt all the errors in manners and doctrine, both in Church and Common wealth, and eſpecially againſt the greateſt enormities of the Popes themſelves, hath beene wreſted to a quite contrary uſe, to weaken the lawfull rights of Kings and

Princes

Princes, to pervert the doctrine and Hierarchie of the Church of GOD, and to lift up the Papacy to an unsufferable height of pride. This is that holy and great Synod, of which the Romanists do boast themselves so much.

And indeed every one of any meane capacity may easily know, that many controverted points betweene them and the true Professors, necessary (as they maintaine) for the saving of mens soules, had never any colourable establishment but this; which insensibly creeping in by the superstition of the vulgar, or secretly set on foot by those that were ambitious and covetous, or (at the best) blindly zealous, have alwayes beene opposed by the Orthodox, even publikely, untill the malicious industry of the greater part, put to silence (though never quite overcame) the paucity of the better. So that their vanting of the Antiquity of their Religion, and of the infancy of ours, is vaine and idle.

And if they will glory (as usually they do) of the universality of their doctrine, because it was established (forsooth) by *the holy Oecumenicall Councell of Trent*, as they terme it, none can better judge then your MAIESTIE, how factious and how unlawfull that assembly was; and by this Historie, the whole world may understand the weaknesse of that foundation.

The Almighty blesse your MAIESTIE with length of dayes, strength of body, loyalty of your people, and with all imaginable happinesse in your most Royall Progeny, and in swaying the Scepter of your Dominions.

Your Sacred Majesties

most humble, and most faithfully
devoted Subject,

NATHANAEL BRENT.

TO THE READER.

COurteous Reader, thou ſhalt ſee in this Book greater variety of remarkable accidents, then, before the reading of it, thou couldeſt have poſſibly imagined. The ſtate of Religion quite altered, in divers Kingdomes and Countries of Chriſtendome; the *Grandies* ſometimes divided and armed one againſt another, ſometimes joyned in confederations and leagues; the *Eccleſiaſticks* oppreſſed; the *Proteſtants* perſecuted; the *Biſhops* of *Rome*, as it were, acting their parts, and moſt lively deciphered in their naturall colours. If learning will content thee, marke the diſputations of the Theologues, and the deepe diſcourſes of the Author himſelfe. If policie will pleaſe thee, thou ſhalt finde it in the conſultations and treaties of Princes, managed with admirable dexterity, by their Ambaſſadours and Miniſters; and generally, no delight will be wanting to thee, which thy curioſity can deſire, or any other Hiſtory afford. But conſider, above all, in what a ſtrange manner the Conciliary Acts of this aſſembly in *Trent* were carried. By reading of thoſe few words of thy Countrey-man *Edmond Campian*, below in this page, thou maiſt perceive in what repute the Papalins do hold it: and after, when thou haſt read the Book, thou wilt know how much it is over-valued. Compare thy judicious cenſure with his that is partiall, and thou ſhalt finde them to agree as white with blackneſſe, darkneſſe with light. Farewell.

Verba *Edmundi Campiani*, ratione quarta, reddita *Academicis*.

TRidentina Synodus quo magis inveteraſcet, eò magis indies eóque perennius effloreſcet. Bone Deus! quæ gentium varietas, qui delectus Epiſcoporum totius orbis, qui regum & rerumpublicarum ſplendor, quæ medulla Theologorum, quæ ſanctitas, quæ lachryma, quæ jejunia, qui flores Academici, quæ lingua, quanta ſubtilitas, quantus labor, quam infinita lectio, quanta virtutum & ſtudiorum divitiæ auguſtum illud Sacrarium impleverunt!

The words of Edmond Campian *in his fourth reaſon* given to the Univerſities.

THe Synod of *Trent* the older it waxeth, the more it will flouriſh. Good God! what variety of Nations, what choyce of Biſhops of the whole world, what ſplendor of Kings and Common-wealths, what marrow of Theologues, what ſanctity, what weepings, what faſts, what Academicall flowers, what languages, what ſubtilties, what labour, what infinite reading; what riches of vertues and ſtudies did fill up that Majeſticall ſacred place!

XUM

TO THE MOST REVEREND FATHER IN GOD, MY SINGULAR GOOD LORD, THE LORD ARCHBISHOP of *Canterburie* his GRACE; Primate of all ENGLAND, and Metropolitane, and one of his MAIESTIES most Honourable Privie Councell.

MOst Reverend in Christ, It may seeme strange (and I am sure it is without example) that of one Councell onely so large an History should be written, and so full of all variety of matter. For in those of former ages, in which the Holy Ghost *did really and effectually assist the Fathers, howsoever more Prelats and Divines were assembled from places more remote, and the actions guided by the greatest Princes of all those times, yet nothing was attempted to encrease or maintain the Heresies and abuses that raigned then, nor was any thing remarkable, but the very Doctrines and Decrees themselves. But after that the* Bishops *of* Rome, *scorning to bee Ministers and Servants, made themselves Masters and Monarchs of the Church of God, the practices and inventions of worldly men chased away the heavenly inspirations of the blessed Spirit, and greater confusions and troubles did arise in handling Divine Mysteries, then did happen at any other time in negotiating the affaires of Kingdomes and of Common-wealths. This hath ministred a whole Ocean of occurrences, and afforded a most copious subject to this present Treatise.*

And so irresistable is the force of Truth, and the Divine Providence so great, that, howsoever the Romanists have used all possible diligence to hinder the finding out of their unlawfull proceedings in this

this Councell, by ſuppreſsing all publike writings and monuments, by which their treacheries and abuſes might be diſcovered more plainely to the eyes of the world, the writer of this Hiſtorie (a man of admirable learning, exquiſite judgement, indefatigable induſtrie, and integrity ſcarcely to be matched) hath beene raiſed up by God, who, out of the Diaries, Memorials, Regiſters, and other writings, made and preſerved by the Prelates and Divines themſelves, and by the Ambaſſadours of Princes and Republiques, who were aſsiſtants herein (which are the moſt infallible grounds that any writer can have) hath revealed an infinite of intolerable abuſes, and (as the proverb ſaith) Cornicum oculos confixit.

This Book I have tranſlated out of Italian into our vulgar language, preſuming to commend it to the royall protection of his ſacred Majeſtie for whoſe ſake (as ſome reaſons induce me to beleeve) it was principally compoſed. And becauſe I undertook this work at your Graces command, who have beene the chiefeſt cauſe why the originall croſſed the Seas before the juſt nativity of it, and ſaw the firſt light within his Majeſties dominions, as alſo in regard of the high place you moſt deſervedly beare in the Church of God, I thought it my duty to crave your favour likewiſe; that as the birth of it hath beene happie by your Graces meanes, ſo the growth may accordingly proceed, and the fruit of both (which is to remove an erronious opinion of the infallibility of this pretended Councell) may conſtantly endure untill the worlds end.

In publiſhing hereof, if my Pen hath not merited ſuch praiſe as others might, yet my deſire to benefit Gods Church hath not been wanting, and my zeale to ſerue your Grace, in whatſoever I am able, ſhall never yeeld to any. Unto whom I wiſh (for the publike benefit of Church and Common-wealth, and for your owne particular contentment) a perfect accompliſhment of all your pious and honourable deſignes.

Your Grace's

moſt obliged to do
you ſervice,

NATHANAEL BRENT.

1500

Pope ALEXANDER 6. Emperour MAXIMILIANI.

HENRY 7. King of England. LEWIS 12. French King.

THE FIRST BOOK OF THE HISTORY OF THE COUNCELL OF TRENT.

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MY purpose is to write the History of the *Councell of Trent*. For though many famous Historians of our age, have made mention in their writings of some particular accidents that happened therein, and *John Sleidan* (a most diligent author) hath related, with exquisite industry, the causes that went before; notwithstanding all these things put together would not suffice for an entire narration. The purpose of the Author.

For my selfe, so soone as I had understanding of the affaires of the world, I became exceeding curious to know the whole proceedings thereof: and after I had diligently read whatsoever I found written, and the publike instructions, whether printed or divulged by pen, I betooke my selfe, without sparing either paines or care, to search in the remainder of the writings of the Prelates, & others who were present in the Councell, the records which they left behind them, and the Suffrages or opinions delivered in publike, preserved by the authors themselves, or by others, and the letters of advice written from that City: wherby I have had the favour to see even a whole register of notes & letters of those persons, who had a great part in those negotiations. Having therfore collected so many things, as may minister unto me sufficient matter for a narration of the progresse, I am resolved to set it downe in order. The means he used for collection of his matter.

I will relate the causes and managings of an Ecclesiasticall Convocation, by some, for divers ends, and by divers means procured & hastened, by some hindered and deferred for the space of 22. yeeres: and for 18. yeares more, sometimes assembled, sometimes dissolved, alwaies celebrated with divers intentions, and which hath gotten a forme and conclusion contrary altogether to the desigme of them that procured it, and to the feare of those that with all diligence disturbed it; a cleare instruction for us

1500 Alexand 6. Maximil. I. Henry 7. Levvis 12.

to referre our ſelves to God, and not to truſt in the wiſedome of man.

For this Councell deſired and procured by godly men, to re-unite the Church which began to be divided, hath ſo eſtabliſhed the Schiſme, and made the parties ſo obſtinate, that the diſcords are become irreconcileable: and being managed by Princes for reformation of Eccleſiaſticall diſcipline, hath cauſed the greateſt deformation that ever was ſince Chriſtianity did begin: and hoped for by the Biſhops to regaine the Epiſcopall authority, uſurped for the moſt part by the Pope, hath made them looſe it altogether, bringing them into greater ſervitude: on the contrary, feared and avoided by the Sea of Rome, as a potent means to moderate the exorbitant power, mounted from ſmall beginnings by divers degrees unto an unlimited exceſſe, it hath ſo eſtabliſhed and confirmed the ſame, over that part which remaineth ſubject unto it, that it was never ſo great, nor ſo ſoundly rooted.

The concluſion of this Councell was contrary to the opinion of all men.

It will not be inconuenient therefore to call it the Iliad of our age; in the explanation wherof I will exactly follow the truth, not being poſſeſſed with any paſſion that may make me erre. And he that ſhall obſerve that I ſpeake more copiouſly of ſome times, and more ſparingly of others let him remember that all fields are not equally fruitfull, nor all graines deſerve to be kept: and that of thoſe which the Reaper would preſerve, ſome eare eſcapeth the hand, or the edge of the ſickle; that being the condition of every harveſt, that ſome part remaineth to be gleaned after.

The originall, cauſe, and progreſſe of Synods.

But firſt I muſt call to mind, that it hath bin a moſt ancient cuſtome in the Church of Chriſt to compoſe the differences of Religion, & to reform the corrupted diſcipline, by the convocation of Synods. So the firſt which began in the life time of many of the holy Apoſtles, whether the converted Gentiles were bound to obſerve *Moſes* law, was compoſed by a meeting in Jeruſalem of 4. Apoſtles, & of all the faithful which were in that City: by which example, in the occurrences which incidently ſprung up in every province for the ſpace of 200. years and more afterwards, the Biſhops and chiefeſt of the Churches aſſembled themſelves together, to qualifie & end them; that being the only remedy to re-unite diviſions, and to accord contrary opinions.

But after that it pleaſed God to give peace unto his Church, by exciting *Conſtantine* to favour Religion, as it was more eaſie for many Churches to communicate and treat together, ſo alſo the diviſions became more common. And whereas before, the differences went not out of a city, or, at the moſt, out of a Province, now by reaſon of the liberty of meeting together, they extended themſelves over the whole Empire. Wherfore alſo it was neceſſary that the Councels (which were the uſual remedy) ſhould be aſſembled from places more diſtant. Wherupon a Councel of the whole Empire, being congregated in thoſe times by that Prince, it had the name of the holy and great Synod; and a little after was called the general & Oecumenical Councel, though not aſſembled from all parts of the Church, a great part whereof extended it ſelf beyond the bounds of the Roman Empire; but becauſe the uſe of that age was to call the Emperor Lord of the whole habitable earth, howbeit the tenth part thereof was not ſubject unto him. By which example the like Councels were called by *Conſtantine* his ſucceſſors in other occurring differences of Religion. And though the Empire was divided into the

the Easterne and Western, notwithstanding the affaires thereof being managed under a common name, the Convocation of Synods throughout the whole continued still. 1500

PIUS 3. IULIUS 2. MAXIMIL. 1. HENRY 7. LEWIS 12.

7 But after that the East was so divided from the West, that there remained no more communion in the Soveraignty, and after that the East was for the most part possessed by the *Saracens*, and the West parted amongst many Princes, the name of an universall and œcumenicall Councell was no more derived from the Roman Empire, but amongst the *Grecians*, from the assembly of the five Patriarchs, and in these countries of ours, from the unity and communion of those Kingdomes and States which obeyed the Pope in causes Ecclesiasticall. And the assembling of these hath beene continued, not to appease the dissentions about Religion principally, as before, but either to make warre in the Holy-land, or to compose Schismes and divisions of the Church of *Rome*, or else for controversies between the Bishops and Christian Princes.

A new derivation of the name of generall Councels.

8 In the beginning of the 16. century of yeares after the nativity of our Saviour Christ, there appeared no urgent cause to celebrate a Councell, neither was there any likely to happen for a long space. For the complaints of many Churches against the greatnesse of the Court, seemed absolutely to be appeased, and all the countries of the Westerne Christians were in the communion and obedience of the Church of *Rome*. Only in a small part, that is, in that tract where the Alpes are joyned with the Pyrenees, there were some remainders of the old *Waldenses*, or *Albigenses*: In whom notwithstanding there was so great simplicity and ignorance in learning, that they were not fit to communicate their doctrine unto others; besides, their neighbours conceived so sinister an opinion of their impiety and obscenity, that there was no danger that the contagion could spread any further. 1500

Waldenses in the Alpes.

9 In some Cantons also of *Bobemia* there were some few who maintained the same doctrine, even remnants of those whom the *Bobemians* call *Picards*; whose increase could not be feared for the same reason.

Picards in Bohemia.

10 In the same Kingdome of *Bobemia* there were some followers of *John Hus*, which were called *Calistini*, or *Subutraque*, who, except that particular, that in the holy Communion they ministred the Cup unto the people, in other things differed not much from the doctrine of the Church of *Rome*. But these also were not esteemed considerable, as well for their small number, as because they wanted learning: neither did it appeare that they desired to communicate their doctrine, nor that others were curious to understand it.

Calistini in Bohemia.

11 There was yet some danger of Schisme. For *Julius* the second having addicted himselfe more to the Arts of warre, than to the Priestly ministery, and governed the Popedome with excessive imperiousnes toward the Princes and Cardinals, had constrained some of them to separate themselves from him, and to call a Councell. And the French King *Lewis* the twelfth, excommunicated by the same Pope, had withdrawne his obedience from him, and was joyned with the separated Cardinals, which beginning did seeme might produce some important conclusion. But *Julius* opportunely dying, & *Leo* being created in his stead, with his dexterity he reconciled, in a very short space, the Cardinals and the Kingdome of *France* both at once: so that a fire was

Pope *Julius* the second was more a souldier than a Clergy man.

Lewis the 12. excommunicated.

1500
Leo 10. Maximil. I. Henry 7. Lewis 12.

quenched with admirable celerity and eaſe, which in likelihood might have burned the Church.

12 *Leo* the tenth, as one whoſe birth and education was noble, adorned the Papacy with many good parts which he brought into it; amongſt which were his ſingular learning in humanity, goodneſſe, and a marvellous ſweet manner in treating of affaires, together with a pleaſing behaviour, more than humane, joyned with incomparable liberality, and a great inclination to favour thoſe that were learned, and endowed with any extraordinary quality. Which vertues were not found in that Sea of a long time before, neither equall nor neare unto his. And he would have been a Pope abſolutely complete, if with theſe he had joyned ſome knowledge in things that concerne Religion, and ſome more propenſion unto piety; of both which he ſeemed careleſſe. And as he was moſt liberall and well ſeen in the Art of giving, ſo in that other of gaining he was not able enough of himſelfe, but uſed the aſſiſtance of *Lorenzo Pucci*, Cardinall of *Santi Quatro*, a man exceeding ſufficient in that behalfe.

The deſcription of Pope *Leo*.

13 *Leo* therefore finding himſelfe in this ſtate, quiet, the Schiſme extinguiſhed abſolutely, without an adverſary, as one may ſay (becauſe thoſe few *Waldenſes* and *Caliſtini* were not any way conſiderable) liberall in ſpending and rewarding as well his kindred, as Courtiers, and profeſſors of learning, other fountaines, from whence the Court of *Rome* was wont to draw riches unto it ſelfe out of other nations being dried up, he thought fit to ſerve himſelfe of that of Indulgences.

When the art of gaining money by Indulgences began.

14 This manner of gaining money was put in practiſe after the yeare 1100. For Pope *Urban* the ſecond having granted a plenary Indulgence, & remiſſion of all ſins, to whoſoever made war in the Holy land, to regaine and ſet at liberty the Sepulchre of Chriſt, out of the hands of the *Mahumetans*, was imitated by his Succeſſors for many hundreds of yeares; ſome of which (as alwaies new inventions are enlarged) granted it to thoſe that maintained a ſouldier, in caſe they could not, or would not goe to warre themſelves in perſon. And after in progreſſe of time, the ſame Indulgences and pardons were given for the taking of armes againſt thoſe that obeyed not the Church of *Rome*, although they were Chriſtians: & for the moſt part infinite exactions were made under thoſe pretences: all which, or the greater part, were applied to other uſes.

Leo granted a plenary Indulgence.

15 *Leo* being counſelled by the Cardinall of *Santi Quatro*, to follow theſe examples, ſent an Indulgence and Pardon for ſins throughout all Chriſtendome, granting it to whoſoever would give money, and extending of it even unto the dead; for whom when the diſburſement was made, his will was that they ſhould be freed from the paines of Purgatory; giving alſo power to eat egges and whitemeats on faſting daies, to chuſe themſelves a Confeſſor, and other ſuch like abilities. And although the execution of this enterpriſe of *Leo* had ſome particular in it that was neither pious nor honeſt, as hereafter ſhall appeare (which did give ſcandall, and cauſed innovation) notwithſtanding many of the grants formerly made by the preceding Popes, had cauſes more unjuſt, and were exerciſed with more avarice and extortion. But occaſions ariſe many times which are able to produce notable effects, and yet

come

come to nothing, for want of thoſe that know how to uſe them. And, which is more, it is neceſſary, for the effecting of any thing, that the time come in which it may pleaſe God to correct the errours of men. All theſe things met together in the time of *Leo*, of whom we ſpeake.

1517
LEO 10. MAXIMIL. I.
HENRY 8. FRANCIS 1.
1517

16 For having publiſhed an univerſall grant of Indulgence, in the yeare 1517. he diſtributed part of the harveſt, before it was reaped or well ſowed, giving unto divers perſons the revenues of divers provinces, & reſerving ſome alſo for his owne Exchequer. In particular, the Indulgences of *Saxony*, and of that arme of *Germany*, which reacheth from thence to the ſea, hee gave to his ſiſter *Magdalene*, wife unto *Franceſchetto Cibo*, baſtard ſonne of *Innocentius* the eighth: by reaſon of which marriage, this *Leo* was created Cardinall at the age of fourteene yeeres, which was the firſt beginning of Eccleſiaſticall greatneſſe in the houſe of the *Medici*. And *Leo* uſed this liberality, not ſo much through brotherly love, as for recompence of the charges which the family of *Cibo* were at, when he retired himſelfe to *Genua*, not daring to abide in *Rome* ſo long as *Alexander* the 6. had linked himſelfe with the Florentines, who being enemies to the houſe of the *Medici*, had chaſed it out of *Florence*. The ſiſter (that the Pope his gift might be profitable unto her) committed the care of preaching the Indulgences, & exacting the mony, unto Biſhop *Aremboldus*, who in the aſſumption of the Epiſcopall dignity, deveſted not himſelf of any of the qualities of a perfect *Genua* merchant. This man gave power to publiſh the Indulgences to whoſoever promiſed to raiſe moſt profit by them, without any regard of the quality of the perſons, even ſo ſordidly, that no man of any tolerable condition could contract with him, but he found miniſters like unto himſelfe, who aimed at nothing but the gaine of money.

The Popes ſiſter hath a great part of the benefit of Indulgences.
Leo was created Cardinall at the age of fourteene.
Aremboldus was the agent of the Popes ſiſter.

17 It was a cuſtome in *Saxony*, that whenſoever Indulgences were ſent by Popes, the Friars of the order of the *Heremites* were imployed to publiſh them. The Pardon-mongers, miniſters of *Aremboldus*, would not goe to theſe; becauſe, being accuſtomed to manage the like merchandiſes, they might uſe ſome device to draw ſome ſecret profit to themſelves, and from whom likewiſe, as practiſed in this office, they expected not any extraordinary thing, which might bring them more than uſuall advantage; but they went to the *Dominican* Friers. Theſe men, in publiſhing the Indulgences, deſiring to amplifie the value of them, more than others had done before, ſpake many ſtrange things, which gave cauſe of ſcandall. Whereunto was added, the bad life of the Pardoners, who in Taverns, and elſewhere, in games, and other things not fit to be named, ſpent that which the people ſpared from their neceſſary expences, to purchaſe the Indulgences.

The Heremite Friers were publiſhers of Indulgences in Saxony by cuſtome.
The Dominicans were employed by the miniſters of *Aremboldus*.

18 By theſe means *Martin Luther*, an *Heremite* Friar, being ſtirred up, began to ſpeak againſt the Pardoners, firſt reprehending theſe new exceſſive abuſes only, after being provoked by them, he ſet himſelf to ſtudy this matter, being deſirous to ſee the foundations and the roots of the doctrine of Indulgences. Which when he had examined, paſſing from the new to the old abuſes, and from the building to the foundations, he publiſhed 95 Concluſions in this matter, which were propoſed to be diſputed on in *Wittenberg*, where they being ſeene and read, they were not oppoſed in any vocall conference, becauſe no man appeared againſt him: but *John Thecel*, a *Dominican* Friar,

Martin Luther ſpeaketh againſt the Indulgences.
95 Concluſions of *Luther*.
John Thecel a Dominican propoſeth concluſions contrary to thoſe of *Luther*.

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Friar, propoſed others contrary unto theſe, in *Frankfort* of *Brandeburg*.

19 Theſe two files of Concluſions were, as one may ſay, a joyning of iſſue. Wherfore *Martin Luther* went on to write in defence of his, and *John Ecchius* to oppoſe them: and theſe Concluſions, together with other writings, being gone to *Rome*, *Silveſter Prierius*, a Dominican Friar, wrote againſt *Luther*. Which conteſtation enforced both the one & the other party to ſwarve from this matter, and paſſe to other things of greater importance. For the doctrine of Indulgences having not bin well examined in former ages, which did never conſider how they might bee defended and maintained, or how impugned, the eſſence and cauſes of them were not well underſtood. Some thought they were nothing but an abſolution or freeing, made by authority of the Prelate, from penance which the Church in the moſt auncient times impoſed, by way of diſcipline, upon the penitent, (which impoſition was aſſumed in ſucceeding ages by the Biſhop onely; after delegated to the penitentiary Prieſt, and in concluſion left wholly to the will of the Confeſſor) and that they delivered us not from paying the debt due to the juſtice of God. Others thinking that this brought more hurt unto Chriſtians than benefit, who being delivered from Canonicall puniſhments, became negligent to ſatisfie the divine juſtice with voluntary penance, began to be of opinion, that they ſet us free from both the one and the other: but theſe were divided. Some thought that they ſet us free, though nothing were given in recompence for them. Others, abhorring that opinion, ſaid, that by reaſon of the mutuall participation in charity of the members of holy Church, the penance of one might be communicated unto another, and free him by this compenſation. But becauſe it ſeemed that this was more proper to men of an holy and auſtere life, than to the authority of Prelates, there aroſe a third opinion, which made them in part an abſolution, becauſe authority was neceſſary for them, and in part a compenſation. But in regard the Prelates lived not in ſuch ſort, as that they could ſpare much of their merits for others, there was made a treaſury in the Church, full of the merits of all thoſe who had more of them than would ſerve their owne turnes; the diſpenſation whereof is committed to the Pope, who when he giveth Indulgences, recompenceth the debt of the ſinner, by aſſigning ſo much in value out of the treaſury. Neither was there an end of the difficulties: for it was oppoſed, that the merits of Saints being finite and limited, this treaſure might be diminiſhed. Wherefore deſiring to make it indeficient, they added the merits of Chriſt, which are infinite: Whence aroſe a doubt, what need there might be of the little drops of the merits of others, when there was an infinite Ocean of the merits of Chriſt: which gave cauſe to ſome, to make the treaſure to be onely of the merits of our Saviour.

John Eccius oppoſeth *Luthers* concluſions.

Silveſter Prierius wrote againſt *Luther*.

The doctrine of Indulgences was never well underſtood untill this time.

The treaſure of the Church.

20 Theſe things, ſo uncertain at that time, & which had no other foundation than the Bull of *Clement* 6. made for the Jubilie of the year 1350. ſeemed not ſufficient to oppugne the doctrine of *Martin Luther*, to reſolve his reaſons, and to convince him. Wherefore *Thecel*, *Ecchius*, and *Prierius*, ſeeing themſelves not ſtrong enough in points proper for this matter, betooke themſelves to common places, and laid for their ground-work the Popes authority,

The adverſaries of *Luther* prove the doctrine of Indulgences by common reaſons onely.

rity, and consent of the Schoolemen; concluding, that the Pope, not being able to erre in matters of faith, and having approved the doctrine of the Schoolemen, and himselfe publishing the Indulgences to all the faithfull, it was necessary to beleeve them as an article of faith. This gave occasion to *Martin* to passe from Indulgences, to the authority of the Pope; which being predicated by others to be the highest in the Church, was by him made inferiour to a Generall Councell lawfully called, whereof he said there was need in that instant and urgent necessity: and the heat of disputation continuing, the more the Papall authority was advanced by others, the more it was by him abased. Notwithstanding he contained himself within the bounds of speaking modestly of the person of *Leo*, sometimes referring himselfe to his judgement. And, for the same reason, the doctrine of remission of sinnes, of Penance, and of Purgatory, was set on foot, the Romanists serving themselves of all these common places for proofe of Indulgences.

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Luther begunneth to speake against the Popes authority, and other doctrines of the Romane Church.

21 Friar *James Hogostrat*, a Dominican Inquisitor, wrote against *Martin Luther* more to the purpose than them all; who, setting these reasons aside, exhorted the Pope to convince *Martin* with chaines, fire, and flames.

James Hogostrat his perswasion to the Pope.

1518

22 Nevertheless, the controversie grew still more bitter, & *Martin* alwaies went forwards to some new proposition, as occasion was offered. Wherfore Pope *Leo* caused him to be cited to *Rome* by *Hierom* Bishop of *Ascoli*, Auditor of the chamber, in August 1518. & wrote a Briefe to *Frederick* Duke of *Saxony*, exhorting him not to protect him. He wrote also to *Thomas de Vio*, Cardinal *Cajetan*, his Legat in the diet of *Ausburg*, that he should use all diligence to commit him to prison, and to send him to *Rome*. Divers meanes were used to the Pope, that he would be contented to order that his cause might be examined in *Germany*, who yeelded to referre it to his Legat, unto whom the judicature thereof was committed, with instruction, that if he could discover any hope of repentance in *Martin*, he should receive him into favour, promising him pardon of all his errours past, together with honours and rewards, referring the whole to his wisedome; but in case he found him incorrigible, he should desire *Maximilian* the Emperour, and the other Princes of *Germany*, that he might be punished.

Meanes used by the Pope, to bring *Luther* to Rome.

Luthers cause referred to Cardinall *Cajetane*, the Popes Legat.

23 *Martin* went to the Legat to *Ausburg*, under the safe-conduct of *Maximilian*: where, after a convenient conference upon the controverted doctrine, the Cardinall having discovered, that by termes of Schoole-divinity, in the profession whereof himself was most excellent, *Martin* could not be convinced, that he alwaies served himself of the holy Scripture, which is used but a little by the Schoolemen, he declared that he would dispute no more with him, but exhorted him to a retractation, or, at least, to submit his Bookes and doctrine to the judgement of the Pope, shewing him the danger he was in, if he persisted, and promising him favours and benefits from his Holiness. *Martin* not answering to the contrary, he thought it not fit to wring from him a negative, by pressing him too much, but rather to give space, that the threats and promises might make impression, and therefore gave him leave to depart for that time. He caused also Friar *John Stopiccius*, Vicar generall of the order of the *Heremites*, to treat with him in conformity hereof.

Luther cometh to the Legat, with the Emperors safe-conduct.

Luther had leave to depart.

24 *Martin* being returned once more, the Cardinall had much confe-

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rence with him concerning the heads of his doctrine, rather hearing what he ſaid, then diſputing, to gaine himſelfe credit by the propoſition of accommodating the buſineſſe. Whereunto when he deſcended, exhorting him not to let ſlip ſo ſecure an occaſion, and ſo profitable, *Luther* anſwered him, with his accuſtomed vehemency, that no compoſition could be made to the prejudice of the truth; that he had offended no man, nor had need of the favour of any; that he feared no threats, and that, if any thing were unduly attempted againſt him, he would appeale to a Councell. The Cardinall (who had heard that *Martin* was ſecured by ſome *Grandies*, that they might hold a bridle in the Popes mouth) ſuſpecting that he was perſwaded to ſpeak in that ſort, diſdained at it, and deſcended to bitter reprehenſions, and baſe termes, and concluded, That Princes have long hands, and ſo bid him be gone. *Martin*, being parted from the Legats preſence, remembring *John Hus* his caſe, went from *Ausburg* without ſaying any more. From whence when he was a good way diſtant, thinking better of his own caſe, he wrote a letter to the Cardinall, confeſſing he had bin too ſharp, laying the blame upon the importunity of the Pardoners, and of thoſe that wrote againſt him; promiſing more modeſty hereafter, to ſatisfie the Pope, and not to ſpeak any more of Indulgences, with condition that his adverſaries ſhould do the like. Yet neither they nor he could be kept ſilent, but one provoked the other, whereby the controverſie grew more ſharp.

At his returne he was more vehement than before.

Luthers letter.

The Cardinall is blamed in Rome for uſing *Luther* with baſe termes.

25 Wherefore the Court in *Rome* ſpake diſgracefully of the Cardinall, attributing all the miſchief to the ſeverity and baſe termes uſed againſt *Luther*: they blamed him for not having promiſed him great riches, a Biſhoprick, and even the red hat of a Cardinall. And *Leo*, fearing ſome great innovation in *Germany*, not ſo much againſt Indulgences, as againſt his owne authority, made a Bull under the date of the 9. of November 1518. wherein he ſet forth the validity of Indulgences, and that himſelf, as ſucceſſor of *Peter*, and Vicar of Chriſt, had power to grant them, both for the living & for the dead; and that this was the doctrine of the Church of *Rome*, which is mother and miſtris of all Chriſtians, which ought to be received of whoſoever would be in the communion of the Church. He ſent this Bull to Cardinall *Cajetan*, who being at *Lintz* in upper *Auſtria*, publiſhed it, and cauſed many authenticall copies to be made thereof, ſending them to all the Biſhops of *Germany*, with commandement to publiſh them, and ſeverely, and under great penalties to injoyne all men not to have any other faith.

The Bull of *Leo* for the doctrine of Indulgences.

26 By this Bull *Martin* ſaw cleerly, that from *Rome*, and from the Pope, he could look for nothing but condemnation; and as before he had for the moſt part ſpoken reſervedly of the perſon and judgement of the Pope, ſo after the publication of this Bull he reſolved to reject it. Wherfore he ſet forth an Appeale; wherein having firſt ſaid, that he would not oppoſe himſelfe to the authority of the Pope when he taught the truth, he added, that he was not exempt from the common conditions of being ſubject to erre and to ſin; alledging the example of S. *Peter*, ſharply reprehended by S. *Paul*. But he ſaid, it was an eaſie thing for the Pope, having ſo great riches and retinue, to oppreſſe whoſoever was not of his opinion, without reſpect of any; unto whom none other help remained, but to flie unto a Councell, by the benefit of

The Pop.s Bull made *Luther* appeale to a Councell.

of appeale, becauſe all reaſon perſwadeth, that a Councell ought to be preferred before him. This Appeale went throughout all *Germany*, and was read by many, and eſteemed reaſonable. Wherefore *Leo* his Bull extinguiſhed not the fire that was kindled in thoſe parts. 1519

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27 But it having given courage to the Court in *Rome*, as if the flame had been quenched, Friar *Samſon* of *Milan*, of the order of S. *Francis*, was ſent to preach the ſame Indulgences amongſt the *Suiſſes*; who having publiſhed them in many places, & collected the ſumme of 120000. crowns, came finally to *Zuric*, where *Ulricus Zuinglius*, a Canon in that Church, was profeſſor; who oppoſing himſelfe to the doctrine of this Friar the Pardoner, there grew great diſputation between them, paſſing alſo from one matter to another, as it happened *Germany*. Whereby it came to paſſe that *Zuinglius* was hearkened unto by many, and gained credit, and was imboldned to ſpeake, not onely againſt the abuſe of Indulgences, but againſt the Indulgences themſelves, and even againſt the authority of the Pope, who granted them.

The occaſion why *Zuinglius* began to oppoſe the Pope.

28 *Martin Luther* perceiving that his doctrine was eſteemed, and that it paſſed alſo into other countries, became more courageous, and ſet himſelfe to examine other articles, and in the matter of Confeſſion, and of the Communion, he forſooke the opinion of the Schoolemen, and of the Church of *Rome*, approving rather the Communion of the Cup uſed in *Bohemia*, and ſetting downe for the principall part of repentance, not the diligent confeſſion made to the Prieſt, but rather the purpoſe of amendment of life for the time to come. He paſſed alſo unto vowes, and touched the abuſes of the Monaſticall Order: and theſe his writings, going on their journey, arrived in *Lovain* and *Colen*; where being ſeene and examined by the Divines of thoſe Univerſities, they were condemned by them. Neither did this trouble *Martin* one jot, but rather cauſed him to goe on, and to declare and fortifie his doctrine the more it was oppoſed.

Luther paſſeth to other points.

His bookes were condemned in *Lovain* and *Colen*.

29 With theſe contentions, rather than reſolute diſcuſſions, paſſed the yeare 1519, when many advertiſements comming to *Rome*, of the ſtirs in *Germany* and *Suiſſerland*, augmented with many amplifications and additions, as the manner of fame is, eſpecially when matters are related from places farre diſtant, *Leo* was noted for negligence, that in ſo great dangers had not uſed powerfull remedies. The Friars particularly blamed him, that being addicted to magnificence, to hunting, to deliciouſneſſe, and to muſicke (with which he was delighted beyond meaſure) he paſſed over things of the greateſt importance. They ſaid, that in point of faith the leaſt thing ought not to be neglected, nor the proviſion againſt it one jot to bee deferred: which, as it is moſt eaſie before the miſchiefe take root, ſo it commeth too late when it is waxed old. That *Arius* was but a ſmall ſparke, which might eaſily have been put out, and yet it ſet the whole world on fire. That *Jobn Hus* and *Hierom* of *Prague* would then have done as much, if in the beginning they had not been ſuppreſſed by the Councell of *Conſtance*. On the contrary ſide, *Leo* repented himſelfe of whatſoever he had done in theſe occurrences, and moſt of all of the Briefe of Indulgences ſent into *Germany*, thinking it would have been better to let the Friars diſpute amongſt themſelves, and to keepe himſelfe neutrall, and reverenced by both parties, than by declaring himſelfe for one

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The Pope was blamed.

Leo, though reprehended for negligence, thought he had done too much.

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one to conſtraine the other to alienate themſelves from him; that this contention was not ſo great, as that it was neceſſary to hold it in any reputation, and that, ſo long as it was lightly eſteemed of, few would thinke of it, and if the Popes name had not been uſed in it untill then, would have ended his courſe, and ſo vaniſhed.

30 Notwithſtanding for the many inſtances of the Prelates of *Germany*, of the Univerſities, who, being intereſſed by the ſentence of condemnation, betooke themſelves to the Popes authority for their protection, and eſpecially for the continuall importunities of the Friars of *Rome*, he reſolved to yeeld to the common opinion. And he made an aſſembly of Cardinals, Prelates, Divines, and Canoniſts, unto which he wholly remitted the buſineſſe. By this it was moſt eaſily concluded, that the Pope ſhould denounce fire and ſword againſt ſo great an impiety. But yet the Canoniſts differed from the Divines, theſe being of opinion that he ought preſently to deſcend to this denunciation, and thoſe ſaying that a citation ought to goe before. The Divines alleaged that the doctrine was evidently ſeene to be impious, that the books were divulged, and the ſermons of *Luther* notorious. The others ſaid, that notoriouſneſſe did not take away the defence, which is allowed by the law of God and nature, alledging the uſuall places: *Adam where art thou? Where is thy brother Abel?* and in the accident of the five Cities, *I will go down and ſee*. They added, that the citation of the Auditor the yeere before, by vertue whereof the judicature was referred to *Cajetan* in *Ausburg*, and remained unperfect, if nothing els were, ſhewed it to be neceſſary. After many diſputes, in which the Divines attributed the deciſion unto themſelves alone, becauſe the queſtion was in point of faith, & the Lawyers appropriated unto themſelves as much as concerned the forme of judgement, a compoſition betweene them was propoſed, diſtinguiſhing the buſineſſe into three parts: the doctrine, the books, and the perſon. For the doctrine, the Canoniſts yeelded that it ſhould be condemned without citation: for the perſon, they perſiſted to maintaine that the citation was neceſſary. Yet not being able to overcome others, who inſiſted upon their own opinions with greater acrimony, and covered themſelves with the buckler of religion, they found a middle way, that a precept ſhould be ſent to *Martin*, with a convenient terme, that ſo it ſhould be reſolved into a citation. Concerning the books there was more to doe: The Divines did thinke they ought to be condemned abſolutely together with the doctrine, and the Canoniſts that they ſhould be joyned with the perſon, and comprehended under the terme. It not being poſſible to make an accord herein, they did both the one and the other. For firſt they were condemned for the time preſent, and afterwards a terme allotted to burne them. And with this reſolution a Bull was framed under the date of

A diſpute between the Divines and Canoniſts.

1520 the 15. of June 1520. which being, as it were, a beginning and foundation of the Councell of *Trent*, whereof we are to ſpeak, it is neceſſary to ſet down here a briefe Epitome thereof.

The Popes Bull.

31 In which the Pope, directing the beginning of his words to *Chriſt*, who hath left *Peter* and his ſucceſſours for Vicars of his Church, exciteth him to aſſiſt it in theſe neceſsities. From *Chriſt* he turneth to S. *Peter*, and praieth him, by the charge which he received of our Saviour, to be careful of the diſtreſſes

of

of the Church of Rome, consecrated with his blood. And passing to *S. Paul*, desireth the like assistance from him; adding, that although he hath deemed heresies to be necessary for triall of the good, yet it is convenient to extinguish them in the beginning. Finally, turning himselfe to all the Saints of heaven, and to the Church universall, hee prayeth them to intercede with God, that the Church may be purged from so great contagion. Then hee proceedeth to shew how it came to his knowledge, and how he hath seene with his eies; that many errors were renewed, which were condemned long before, of *Grecians*, *Bohemians*, and others, false, scandalous, apt to offend godly eares, and to deceive simple mindes, sowed in *Germany*, alwayes beloved both by him, and by his predecessors, who, after the translation of the *Greeke* Empire, have ever taken their protectors from that nation, and that many pious decrees against heretickes have been made by those Princes, which the Popes also have confirmed. Therefore that he, not willing to tolerate the like errors any longer, but rather to make provision against them, would recite some of them: and here he repeateth 42. Articles, which are in the points of originall of sin, Penance, & remission of sins, of the communion, of Indulgences, of Excommunication, of the power of the Pope, of the authority of Councels, of good workes, of free-will, of purgatory, & of poverty, all which he saith are respectively pestiferous, pernicious, scandalous, offensive to pious eares, contrary to charity, contrary to the reverence which is due to the Church of *Rome*, contrary to obedience, which is the sinew of Ecclesiasticall discipline: wherefore being willing to proceed to sentence, he, with the Cardinals, generals of the regular orders, with other Divines and Doctours, both of the one and the other law, hath made diligent examination of them. Therefore hee condemneth and rejecteth them, respectively, as hereticall, scandalous, false, offensive to pious eares, deceitfull to godly minds, and contrary to the Catholike truth: He prohibiteth, upon paine of excommunication, and infinite punishments, that no man should dare to keepe them, defend them, preach them, or favour them. And because the same assertions are found in the books of *Martin*, therefore he condemneth them, commanding under the same pains, that none may read or keep them, but that they ought to be burned, as well those which doe contain the foresaid propositions, as all the rest. Concerning the person of *Martin* himself he saith, he hath many times admonished, cited, & called him, with promise of safe conduct, and provision for his journy; that, if he had come, he would not have found so many errours in the Court as he said, and that himself, the Pope, would have taught him, that the Popes his predecessors, have never erred in their constitutions. But because he hath endured the censures for the space of a whole yeare, and hath dared to appeale unto a future Councell, a thing prohibited by *Pius* and *Julius* the second, under the punishments due to hereticks, he could proceed to condemnation without any more adoe; notwithstanding, forgetting these injuries, he admonisheth the said *Martin*, and his protectors, to change their opinions, cease to preach, and in the term of 60. dayes, upon the same paines, to revoke all the foresaid errors, and burn the books; which in case they doe not, he declareth them notorious and obstinate hereticks. After he commandeth all under the same paines, that they

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The Pope condemneth 42. Articles of *Luthers* doctrine.

Luthers books are condemned to the fire.

The Pope giveth an admonition to *Luther* and his followers.

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they keepe not any booke of the ſame *Martin*, though it containe not the like errours. Then ordaineth, that all men ought to ſhunne as well him as his favourers; yea, commandeth every one to apprehend them, and bring them perſonally before him, or at leaſt chaſe them out of their lands and countries: he interdicteth all places whither they ſhall goe: commandeth that they be every where made knowne, and that his Bull ought to be read in every place, excommunicating whoſoever ſhal hinder the publication thereof: he determineth that the exemplifications ought to be beleeved, and ordereth that his Bull be publiſhed in *Rome*, *Brandeburg*, *Miſna*, and *Manſperg*.

The Popes admonition cauſeth *Luther* to make a ſolemne appeale.

Martin Luther receiving newes of the condemnation of his doctrine and bookes, ſet forth a writing, repeating the Appeale made to the Councell, and making replication thereof for the ſame cauſes. Furthermore, for that the Pope had proceeded againſt a man not called, nor convinced, nor the controverſie of the doctrine heard, preferring his own opinions to the word of God, and leaving no place for the Councell, he offereth to demonſtrate all theſe things, praying the Emperour and all Magiſtrates to accept this his Appeale, for defence of the authority of the Councell, thinking that this decree of the Pope bindeth not any, till the cauſe be lawfully diſcuſſed in a Synod.

The Bull of *Leo* cenſured.

But men of underſtanding, ſeeing the Bull of *Leo*, marvelled at it for many cauſes. Firſt, concerning the forme, that the Pope ſhould proceed to a declaration with clauſes of the palace, in a matter which ought to be handled with the words of the holy Scripture; and eſpecially uſing periods ſo intricate, and ſo long and prolixe, that it was ſcarcely poſſible to draw any ſenſe from them; as if he had been to give ſentence in a feodatary cauſe. And it was particularly noted, that one clauſe which ſaith, *Inhibentes omnibus ne præfatos errores aſſerere præſumant*, is ſo drawne out in length, with ſo many inlargements and reſtrictions, that between *Inhibentes* and *præſumant* there are placed more than foure hundred words.

Others, paſſing on a little further, conſidered, that to have propoſed and condemned as hereticall, ſcandalous, falſe, offenſive to pious eares, and deceitfull to ſimple minds, 42. propoſitions, without declaring which of them were hereticall, which ſcandalous, which falſe, but onely with a word (reſpectively) attributing to every one of them an uncertaine quality, cauſed a greater doubt than was before; which was not to define the cauſe, but to make it more controverſed, and to ſhew more plainely, that another authority and wiſedome was neceſſary to determine it.

Some alſo were filled with admiration, for that it was ſaid, that amongſt the 42. propoſitions, there were errours of the Grecians condemned long agoe. Others thought it a ſtrange thing, that ſo many propoſitions in divers points of faith, ſhould be decided in *Rome*, by the advice of the Courtiers only, without participating them to other Biſhops, Academies, and learned perſons of *Europe*.

The Popes Bull and the Decretals burned in *Wittenberg*.

But the Univerſities of *Lovain* and *Collen*, being pleaſed that there was a colour given to their ſentence by the Popes Edict, publikely burned the books of *Luther*. Which gave cauſe that he alſo in *Wittenberg*, (all that Schoole being aſſembled) judicially and publikely made to be burned, not onely the Bull of *Leo*, but together alſo the Popes Decretals; and after gave an account

to

to the world of that action in a long *Maniſeſt*, publiſhed in writing, noting the Papacie of tyranny in the Church, perverſneſſe of Chriſtian doctrine, and uſurpation of the power of lawfull Magiſtrates. 1521 LEO 10. CHARLES 5 HENRY 8. FRANCIS 1.

37 But aſwell for *Luthers* appeal, as for theſe and other conſiderations, every one became of opinion that a lawfull Councell was neceſſary; by which, not onely the controverſies might be decided, but the abuſes alſo, long ſince brought into the Church, might be redreſſed; and alwayes the neceſſity hereof appeared the more, by how much the more the contentions increaſed, writings being ſet forth continually both by the one part and the other. For *Martin* failed not to confirme his doctrine by divers writings, and accordingly as he ſtudied, hee diſcovered more light, ever paſſing ſome ſtep further forward, and finding articles, of which in the beginning he had not thought: Which he ſaid he did for the zeale of the houſe of God. But he was conſtrained alſo by neceſſity. For the Romaniſts having laboured effectually in *Collen* with the Elector of *Saxony*, by the mediation of *Hierom Aleander*, that he would deliver *Martin* priſoner to the Pope, or by ſome other meanes procure his death, he ſaw that he was obliged to ſhew unto that Prince, and to the people of Saxony, and every one elſe, that he had reaſon on his ſide, that neither he, nor any other Potentate, might yeeld to the earneſt intreaties of the Romaniſts, made againſt his life. A Councell was thought to be neceſſary for two cauſes.

38 The yeer 1520. being thus paſſed, the diet of *Wormes*, of the yeere 1521. was celebrated in *Germany*; to which *Luther* was called to render an account of his doctrine, and had given unto him a ſafe-conduct by the Emperour Charles, elected two yeeres before. He was counſelled not to goe thither, ſeeing that the ſentence of his condemnation made by *Leo* was publiſhed before, and hanged up; whereby he might aſſure himſelfe to bring back nothing but a confirmation of his doome, if peradventure no worſe thing happened unto him. Notwithſtanding himſelfe thought the contrary, againſt the opinion of all his friends, and ſaid, that though he were ſure to have to do againſt as many devils as there were tiles in the roofes of the houſes of that Citie, he would goe thither. 1521 *Luther* called to the Diet.

39 And in that place, the ſeventeenth of Aprill, he was demanded by the Emperour and the whole aſſembly of the Princes, if he were Author of the books which went abroad under his name, the titles whereof were recited, and the copies placed in the midſt of the room where they ſate, were ſhewed unto him; & whether he would defend whatſoever was contained in them, or retract ſomthing. His anſwer was, that concerning the books, he acknowledged thē to be his; but to reſolve whether to maintain the things contained in them or not, was a matter of great moment, & therfore required ſome time of deliberation. There was granted him time that day, to give his anſwer the next: Which being come, *Martin* brought into the aſſembly, made a long oration. Firſt, he excuſed his ſimplicity, if bred after a private & ſimple maner, he had not uſed termes according to the dignity of that place, and given to every one convenient titles; then he confirmed, that he acknowledged the books for his owne. And concerning the defence of them, he ſaid they were not all of one ſort, but ſome contained doctrine of Faith & Piety, others reprehended the doctrine of the Romaniſts, and a third kinde was of thoſe which Interrogated. Anſwereth.

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were written contentiouſly, againſt the defenders of the contrary doctrine. For the firſt, he ſaid he were no Chriſtian or honeſt man if he ſhould retract them; the rather, becauſe though all were condemned, yet all were not judged naught by the ſame Bull of *Leo*. For the ſecond, that it was too manifeſt, that all the countries of Chriſtendome were oppreſſed, and groaned under the bondage. And therefore to retract the things already ſpoken, would be nothing elſe but to confirme that tyranny. In the bookes of the third kind, he confeſſed he was more bitter and vehement than he ought, excuſing himſelf that he made not profeſſion of ſanctitie, nor would maintain his own manners, but his doctrine onely; whereof he was ready to give an account to any man whatſoever, promiſing not to be obſtinate, but to caſt his bookes into the fire himſelf, in caſe any errour were ſhewed him with the Scripture in hand. He turned himſelf to the Emperour, and the Princes, ſaying, it was a bleſſing of God when the true doctrine came to be made manifeſt, as to reject it, was to draw upon us a cauſe of extreme calamities.

40 His Oration being ended, he was by order required by the Emperour to give a plaine and ſimple anſwer, whether or no he would maintaine his writings. Whereunto he anſwered, that he could not revoke any thing that he had written or taught, if he were not convinced by the words of the Scripture, or by evident reaſons.

Luther refuſeth to retract any thing.

41 The Emperour hearing theſe things, reſolved, following the ſteps of his predeceſſours, to maintaine the Church of *Rome*, and to uſe all meanes to quench that fire. Howbeit he would not violate the faith given, but proclaime a baniſhment againſt *Martin* after he was ſafely returned to his houſe. Some of the aſſembly, approving that which was done at *Conſtance*, ſaid that the faith ought not to be kept. But *Lewis* Count Elector Palatine oppoſed himſelf, as unto a thing which would brand the German name with a mark of perpetuall ignominy, expreſsing with diſdain, that it was intolerable, that for the ſervice of Prieſts, *Germany* ſhould draw upon it ſelf the infamy of not keeping the publike faith. Some there were alſo that ſaid that there was no need to proceed ſo faſt to condemnation, becauſe it was a matter of great moment, and which might produce great conſequences.

A noble reſolution of the Prince Elector Palatine.

42 The dayes following there was a treaty in preſence of ſome of the Princes, and in particular, of the Archbiſhop of *Triers*, and of *Joachimus* Elector of *Brandeburg*, & many things were ſpoke by *Martin* in defence of that doctrine, and by others againſt it, being deſirous to induce him to referre every thing to the judgement of the Emperor, and of the aſſembly, & of the Diet, without any condition whatſoever. But he anſwering that the Prophet forbade to put our confidence in men, yea even in Princes, to whoſe judgement nothing ought leſſe to be committed then the word of God, it was at laſt propoſed that he would ſubmit all to the judgment of the future Councel; whereunto he agreed, with condition, that firſt the articles, which he intended to referre, might be drawn out of his books, and that ſentence might not be given of them but according to the Scriptures. Laſt of all, being demanded what remedie he thought might be uſed in this cauſe? he anſwered, thoſe onely which were propoſed to the Jews by *Gamaliel*; that is, that if the enterpriſe were of man it would vaniſh; but if it came from God, it was impoſsible to hinder it:

Luther referreth himſelfe to a generall Councell.

and

and that this might give ſatisfaction to the Pope, becauſe all men ought to reſt ſecure (as himſelf did) that if his deſigne came not from God, it would periſh in a ſhort time. From which things it being impoſſible to remove him, and ſtanding firme in his reſolution, not to accept any judgement but under the rule of the Scripture, he had leave given him to depart, and a terme of 21. dayes aſſigned him to return to his home, with condition that he ſhould neither preach nor write any thing in his journey. For which, after he had given thankes, he departed the 26. of April. 1521

43 Afterwards *Charles* the Emperour publiſhed an Edict in the ſame Diet at *Wormes*, the 8. of April. In which, having firſt declared, that it belonged to the duty of the Emperour to advance Religion, and to extinguiſh hereſies, which began to ſpring up, he proceeded on to ſhew that Friar *Martin Luther* endevoured to ſtaine *Germany* with that contagion; ſo that if he were not hindered, all that nation would fall into an horrible ruine; that Pope *Leo* had fatherly admoniſhed him, and after that, the aſſembly of Cardinals, and other excellent men, had condemned his writings, and declared him an Heretick, if within a certain term he revoked not his errours, and had ſent by *Jerom Aleander*, his Nuncio, a copie of that Bull of condemnation to him the Emperour, as protector of the Church, deſiring him it might be put in execution in the Empire, his Kingdomes, Dominions, and Provinces; that notwithſtanding this, *Martin* amended not himſelfe, yea multiplied his Books daily, full not onely of new hereſies, but even of thoſe which have bin long ſince condemned by holy Councels, and not only in the Latin tongue, but in the German alſo, naming in particular many of his errours; he concluded that there was no writing of his where there was not to be found ſome contagion or deadly ſting, ſo that it might be ſaid, that every word was a poiſon; that theſe things being conſidered by him the Emperour, and his Counſellours of all nations ſubject unto him, treading in the ſteps of the Roman Emperours his predeceſſors, having conferred, in that Diet of *Wormes*, with the Electors, and men of other States of the Empire, by their counſell and aſſent, (though it was not fit to heare a man condemned by the Pope, obſtinate in his perverſneſs, and a notorious Heretick, notwithſtanding, to take away all occaſion of cavill, many ſaying it was neceſſary to heare the man before the Popes decree were executed) he reſolved to ſend to fetch him by one of his Heraulds, not to know and judge the things that concerne faith, which belongeth to the Pope alone, but to bring him into the right way with good perſwaſions. Then he ſheweth how *Martin* was brought into the publick aſſembly, and whereof he was interrogated, and what he anſwered, as it hath been declared before, and how he had leave given him, and departed. The Emperours Edict againſt *Luther*

44 Afterward he goeth on, concluding that therefore for the honour of God, and reverence of the Pope, and for the duty of the Imperiall dignity, by the counſell and aſſent of the Princes, Electors, and States, executing the ſentence and condemnation of the Pope, he declareth that he holdeth *Martin Luther* for a notorious Hereticke, and determineth that he ought to be ſo held of all men, prohibiting every one to receive or defend him in any ſort, commanding both Princes and States, under all the penalties, to apprehend and take him after the terme of twenty dayes, and alſo to proſecute all

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his complices, adherents, and favourers, ſpoiling them of all their goods moveable and immoveable. Hee commandeth alſo that no man ſhould read or keep his books, notwithſtanding that ſomething be good in them, giving order as well to Princes, as others that adminiſter juſtice, that they burne and deſtroy them. And becauſe books extracted out of his works are compoſed and printed in ſome places, and pictures & images ſpread abroad to the diſgrace of many, yea, even of the Pope himſelf, he commandeth that none ſhould print, paint, or keep any of them, but that they be taken and burned by the Magiſtrates; and the Printers, buyers, and ſellers puniſhed, adding a generall law, That no writing may be printed where any point of faith is handled, though the leaſt of all, without conſent of the Ordinary.

The Univerſity of *Paris* condemned the writings of *Luther*.

45 In this ſelfe ſame time alſo the Univerſity of *Paris*, drawing divers concluſions from the books of *Luther*, condemned them, partly as renewed out of the doctrine of *Wigleffe* and *Huſſe*, and partly as newly delivered by him againſt the catholike doctrine. But all theſe oppoſitions effected nothing elſe, but that *Luther* anſwering, books were multiplied both of the one ſide and the other, and the contentions waxed more ſharp, and the curioſity of many was ſtirred up, who willing to inform themſelves of the ſtate of the controverſie, came to note the errours reprehended, and ſo withdrew their devotion from the Pope.

Henry the 8. King of *England* writeth againſt *Luther*.

46 Amongſt the moſt famous contradictors, which the doctrine of *Luther* found, was *Henry* 8. King of *England*, who not being borne the Kings eldeſt ſonne, had been deſtinated by his father to be Archbiſhop of *Canterbury*, and therefore in his youth was made to ſtudy: But the eldeſt being dead, and after him the father alſo, he ſucceeded in the kingdome, and eſteeming it a great honour to imploy himſelf in ſo famous a controverſie of learning, he wrot a booke of the ſeven Sacraments, defending alſo the Popedome, and oppugning the doctrine of *Luther*: a thing ſo gratefull to the Pope, that having received the Kings booke, hee honoured him with the uſuall title of *Defender of the Faith*. But *Martin* ſuffered not himſelf to be ſcared with that moſt illuſtrious glittering name of a King, but anſwered his Majeſtie with as much acrimony, vehemency, and as ſmall reſpect, as hee had anſwered the pettie Doctors. This kingly title being entred into the controverſie, made men more curious, and, as it happeneth in combats, that the lookers on are alwaies ready to favour the weaker, and to extoll his actions, though they be but meane, ſo here it ſtirred up a generall inclination towards *Luther*.

Gaineth the title of Defender of the Faith.

The B. of *Conſtance* wrot to *Zuric* againſt *Zuinglius*.

47 So ſoone as the Emperours decree of baniſhment was publiſhed thoroughout, the ſame month *Hugo* Biſhop of *Conſtance*, in whoſe Dioceſſe is the Citie of *Zuric*, wrote to the Colledge of the Canons of that place, of which number *Zuinglius* was one; and another letter to the Senate of the ſame City. In thoſe letters he put them in mind of the dammage which the Churches, and Common-wealths alſo endured by innovation of doctrine, with much detriment to ſpirituall well-fare, and confuſion of publike quiet and tranquility. Hee exhorted them to beware of new Doctours, ſhewing that they are moved onely by their own ambition, and inſtigation of the devill. He ſent therewithall the Decree of *Leo*, and the baniſhment publiſhed by the Emperour,

Emperour, exhorting them to receive and obey both the one and the other, and particularly noted the perſon and doctrine of *Zuinglius* and his adherents; which conſtrained him to give an account of whatſoever hee had taught his Collegues, and to ſatisfie the Senate. He wrote alſo to the Biſhop, inſiſting principally upon this, that concubinary Prieſts were not any more to be tolerated, from whom ſprang infamy to the Clergy, and bad example to the people, and generally corruption of manners in all; a thing which could not bee taken away, but by bringing in of marriage, according to the Apoſtles doctrine. Hee wrote alſo to all the Cantons of the *Suiſſes* in his owne defence, making particular mention of an Edict made by the Magiſtrates their predeceſſors, that every Prieſt ſhould be bound to have his proper concubine, that he might not enſnare the chaſtity of honeſt women; adding that though it ſeemed a ridiculous Decree, yet it was neceſſarily to be made, nor could be changed, unleſſe that as much as was conſtituted in favour of keeping concubines, were at that preſent converted unto lawfull matrimony.

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48 The ſtirring of the Biſhop induced the Dominicans to preach againſt the doctrine of *Zuinglius*, and him to defend himſelf. Wherfore he wrote and publiſhed 67. concluſions, which contained his doctrine, and touched the abuſes of the Clergy, and of the Prelats. Whereupon much confuſion and diſſention ariſing, the Senate of *Zuric* began to conſult how to appeaſe the tumults, and called together all the Preachers and Doctors of their juriſdiction. They invited alſo the Biſhop of *Conſtance* to ſend ſome man of wiſdome and learning, to aſſiſt at that conference, to the end they might pacifie the troubles, & order ſome thing which might be for the glory of God. The Biſhop ſent his Vicar, *Iames Faber*, who afterward was Biſhop of *Vienna*; and the day appointed for the meeting being come, and a great multitude aſſembled together, *Zuinglius* reproduced his concluſions, offered to defend them, and to anſwer to whoſoever would contradict them. After many things were ſpoken by divers Dominican Friars, and other Doctors againſt *Zuinglius*, and by him anſwered, *Faber* ſaid, that that time and place were not fit to treat of ſuch a matter, and that the diſcuſsing of ſuch propoſitions belonged to the Councell, which would be cald very ſoon: for he ſaid, the Pope had ſo agreed with the Princes and greater Magiſtrates, and Prelats of Chriſtendome. Which gave ſubject to *Zuinglius* to fortifie himſelfe, ſaying, that theſe promiſes were made to feed the people with vaine hopes, and in the meane ſpace to lull them aſleep in ignorance; that the things which were certain and clear in the holy Scripture, and in the uſe of the Primitive Church, might very well be handled at that time, though they expected a more exact declaration from the Councel, of the points that were doubtfull; & alwayes urging him to ſay what he could, againſt his concluſions, *Faber* told him that he would not treat with him in words, but would anſwer his concluſions in writing. Finally, the aſſembly ended with a Decree of the Senat, that the Goſpel ſhould be preached according to the doctrine of the old and new Teſtament, not according to any humane Decree or Conſtitution.

The Dominicans preach againſt *Zuinglius*, whereby hee is ſtirred up the more.

Faber ſent by the Biſhop of *Conſtance* to aſſiſt in compoſing the controverſies.

Who will not anſwer in words, but in writing.

The Decree of the Senate of *Zuric*.

49 It being therefore perceived, that the labours of the Doctours and Prelates of the Church of *Rome*, and the Popes Decree who proceeded to an abſolute condemnation, and the Emperours *Bando*, ſo ſevere, not onely could

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not extinguiſh the new doctrine, but that notwithſtanding it made every day a greater progreſſe, every one began to think that theſe medicines were not proper for ſuch a malady, and that in concluſion it was neceſſary to come to ſuch a kind of remedy, which, being uſed in times paſt in the like occaſions, ſeemed had appeaſed all troubles, which was the celebration of a Councell. Wherfore this was deſired by all ſorts of men, as a wholſome and the onely remedy.

A generall Councell was thought to be neceſſary.

50 It came to be conſidered, that theſe novelties had not had any other beginning but from the abuſes which time brought in, and from the negligence of the Paſtors; and therefore that it was impoſsible to remedy the confuſions ſprung up, but by remedying the abuſes which cauſed them; and that there was no other way to provide againſt them, with concord and uniformity, but by an univerſall Congregation. And this was the diſcourſe of godly and well diſpoſed men. Notwithſtanding there wanted not divers ſorts of perſons, who thought the Councell would bee profitable for their ends, and deſired it ſhould be regulated with ſuch conditions, that it could not be but in their favour, and not contrary to their intereſts. Firſt, thoſe that had imbraced *Luthers* opinions deſired the Councell, with condition that therein all might be decided and governed by the Scripture, all the Pope his conſtitutions and ſchoole-learning being excluded: For ſo they aſſured themſelves, not onely to defend their owne doctrine, but alſo that onely theirs ſhould be approved. But a Councell that ſhould proceed, as the uſe was 800. yeeres before, they would not, and would be underſtood that they referred not themſelves to that cenſure. And *Martin* was uſed to ſay, that in *Wormes* he was too faint hearted, and that he was ſo well aſſured of his doctrine, that it being divine, he would not ſubmit it ſo much as to the judgement of Angels; yea, that with it he was to judge all, both men and Angels. The Princes and other governours of the Countreys regarded not much what the Councell might determine concerning doctrines, but deſired it might bee ſuch a one as might reduce the Prieſts and Friars to their beginning, hoping that, by that meanes the regalities, and temporall juriſdictions would returne unto them, which, in ſuch abundance and plenty, were paſſed into the Eccleſiaſticall order. And therefore they ſaid, that it was in vaine to call a Councell, where the Biſhops and other Prelates onely ſhould have a deliberative voyce, becauſe they ought to be reformed, and it was neceſſary that others ſhould haue the charge thereof, who could not be deceived by their proper intereſts, nor conſtrained to reſolve againſt the common good of Chriſtendome. The meaner ſort, though they had not much knowledge of the affaires of the world, deſired that the Eccleſiaſticall authority might bee moderated, and the poore people not burthened with ſo many exactions, under pretence of Tithes, Almes, and Indulgences, nor oppreſſed by the Biſhops Officials, under colour of corrections, and ſentences. The Court of *Rome*, the moſt principall part, deſired the Councell, that it might reſtore obedience to the Pope, which was taken from him, & approved ſuch a one as might be governed according to the formes uſed in the laſt ages. But that it ſhould have power to reforme the Papacy, and to take away thoſe introductions, from which the Court reciued ſo many emoluments, and by which a great part of the gold of Chriſtendome

Divers ſorts of perſons deſire the Councell for divers ends.

ſtendome was glued together in *Rome*, this pleaſed them not. *Leo* the Pope being, as it were, in a ſtrait betweene both the parties, knew not what to deſire. He ſaw that every day his obedience was diminiſhed, and that whole countreys ſeparated themſelves from him, and deſired a Councell for remedy. But when he conſidered that it would be worſe then the malady, carrying with it in conſequence a reformation, he abhorred it. He conſidered with himſelfe how to call a Councell in *Rome*, or ſome other place of the Churches dominion; as his Predeceſſor and himſelfe had celebrated with ſingular fruit, the Councell of Lateran a few yeeres before; having by that meanes appeaſed the ſchiſme, reduced the Kingdome of *France*, which was ſeparated, and, which was of no leſſe importance, aboliſhed the Pragmaticall Sanction, doubly contrary to the monarchy of *Rome*; as well in regard it was an example to take from him the collation of benefices, a great foundation of the Pontificall greatneſſe, as alſo becauſe it was a preſervation of the memory of the Councell of *Baſil*, and by conſequence of the ſubjection of the Pope to a generall Synod. But afterwards he ſaw not how a Councell of that ſort could give remedy to the diſeaſe, which was not in the Princes and great Prelates, with whom familiarity and intereſt prevailed, but in the people, with whom it was neceſſary to uſe feality, and to make a true mutation. The caſe ſtanding thus, in the end of the yeere 1521. Pope *Leo* departed this life.

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Pope *Leo* knoweth not what to reſolve about the Councell.

What benefit the Lateran Councell brought to the Papacy.

The death of Pope *Leo*.

51 And in the beginning of the next yeere the ninth of January *Adrian* was created. Which aſſumption to the Popedome being made of a man who was never ſeene in *Rome*, unknowne to the Cardinals and the Court, and remained in *Spaine* (beſides the world holding an opinion that he would not approve the maners of the Romans, nor the free life of the Courtiers) all mens thoughts were turned to conſider of it; ſo that *Luthers* innovations were no more thought of. Some doubted that he was too much inclined to a reformation, others that he would call the Cardinals unto him, and ſo tranſport the Papacy out of *Italy*, as had happened at other times. But they were ſoone delivered from this great feare. For the new Pope, the next day after hee had received advice of his election (which was the 22. of the ſame moneth in the City of *Victoria* in *Biſcay*) not expecting the Legats ſent unto him from the Colledge of Cardinals, to ſignifie it unto him, and to have his conſent, aſſembled thoſe few Prelates which he could get, conſented to the Election, and having taken the habit and armes, declared himſelfe Pope, and went preſently to *Barcellona*; where he wrote to the Colledge of Cardinals the cauſe why he had taken upon him the name and charge of the Pope, without expecting the Legates, committing alſo unto them the publication of it throughout all *Italy*. He was inforced to tarry at *Barcellona* a convenient time, to paſſe the gulfe of *Lions*, which was very dangerous; yet he deferred no longer then needs muſt to imbarke for *Italy*; and arrived there in the end of Auguſt 1522.

Adrian is created Pope, and much feared.

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52 *Adrian* found all *Italy* in commotion, by reaſon of the warre betweene the Emperour and the French King, and the Apoſtolicall Sea over head and eares in a particular warre with the Dukes of *Ferrara* and *Vrbin*, *Arimini*, newly taken by the *Malateſti*, the Cardinals divided, and not truſting one another; the Iſle of *Rhodes* aſsieged by the Turkes, the lands of the Church exhauſted,

The troubled ſtate of *Italy* at the arrivall of *Adrian*.

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exhauſted and in extreme confuſion, during the anarchy of eight moneths. notwithſtanding he applyed himſelfe principally to compoſe the diſcords in Religion in *Germany*. And being nouriſhed and brought up from his childhood in the ſtudies of School-Divinity, he held thoſe opinions to be ſo cleare and evident, that he was perſwaded that no reaſonable man could thinke the contrary. Wherefore he gave no other title to the doctrine of *Luther*, but unſavoury, fooliſh, and unreaſonable, and thought that none, but ſome few fooles, could beleeve it; and that thoſe that followed *Martin* were men, who, in their conſcience, undoubtedly maintained the opinions of the Church of *Rome*, and fained the contrary, being provoked by the burthens laid upon them. His opinion therefore was, that it muſt needs be an eaſie thing to extinguiſh that doctrine, which had none other foundation then matter of profit, and thought that, by giving ſome ſmall ſatisfaction, the body would eaſily be healed, which rather made ſhew to be ſick, then that it was ſo indeed. And becauſe he was borne in *Vtrecht*, a City of low *Germany*, hee hoped that all that nation would willingly hearken to his propoſes, and ingage themſelves to maintaine his authority, as being an *Alman*, and ſo ſincere in all his treaties, that he uſed neither Arts nor ſecret ends. And being perſwaded that it imported much to uſe celerity, he reſolved to make his firſt propoſition in the Diet, which was prepared at *Noremberg*: which to the end it might be gratefully heard, and his promiſe eſteemed reall, he thought it neceſſary to give a taſte, by beginning a reformation, before hee treated with them, removing the abuſes which cauſed the diſſention. To this end he called to *Rome*, *Iohn Peter Caraffa*, Archbiſhop of *Chieti*, and *Marcellus Cazele* of *Gaeta*, men eſteemed for their honeſty and vertues, and very skilfull in whatſoever belonged to Eccleſiaſticall diſcipline, that by the counſell of them, and of the Cardinals which he truſted, hee might finde ſome remedy againſt the corruptions which were of greateſt moment. In this number the prodigality uſed in giving Indulgences firſt preſented it ſelf unto him, becauſe it gave way to the reputation which the new Preachers in *Germany* had gained.

Adrian was very learned in ſchoole Divinity.

The Epithetes he gave to the doctrine of *Luther*.

Adrian borne in *Vtrecht*.

He reſolveth to make a reformation before hee maketh his firſt propoſition in the Diet of *Noremberg*.

53 The Pope, being a Divine who had written in this matter long before *Luther* thought to handle it, meant to eſtabliſh by an Apoſtolicall Decree, and as Pope, that doctrine which, being a private man, he had taught and written: that is, That an Indulgence being granted to one that ſhall doe ſuch a godly worke, the worke may be performed by ſome in ſuch perfection, that he may obtaine the Indulgence; but if it want ſomething of that exactneſſe, the worker obtaineth not all the Indulgence, but onely ſo much as anſwereth in proportion to the imperfect work. The Pope thought that by this meanes hee ſhould not onely provide againſt ſcandall hereafter, but remedy alſo thoſe that were paſt, becauſe it being poſsible to qualifie with ſo good circumſtances every little worke, that it may deſerve any great reward, *Luthers* objection was anſwered, how by the offering of a penny ſo great a treaſure could bee gained, and ſeeing that by the defect of the worke, he that gaineth not all, obtaineth notwithſtanding a proportionable part, the faithfull drew not themſelves back from ſeeking Indulgences.

54 But Friar *Thomas* of *Gaeta*, Cardinall of S. *Siſtus*, a perfect Divine, diſ-

ſwaded

ſwaded it, telling him, that this was to publiſh that truth, which, for the ſafe- 1522
tie of ſoules, it was better to keep ſecret amongſt learned men, and that it ADRIAN 6.
was rather diſputable than decided. Therefore that himſelf alſo, who ſted- CHARLES 5
faſtly beleeved it in his conſcience, notwithſtanding had ſo carried it in his HENRY 8.
writings, that none but the moſt learned men could draw it from his words: FRANCIS 1.
which doctrine being divulged and authorized, there would be danger, that even learned men would conclude, That the Popes grant profited nothing, but that all ought to be attributed to the quality of the work, which would abſolutely diminiſh mens hot deſires to purchaſe Indulgences, and the eſteeme of the Popes authority. The Cardinall added, that after hee had exactly ſtudied this ſubject, by the command of *Leo*, at the time when theſe contentions began in *Germany*, and written a full tract thereof, being Legat in *Ausburg*, the next yeare he had occaſion to examine and treat of it more diligently, ſpeaking with many, and diſcuſſing the difficulties and motives which troubled thoſe countreyes: and in two conferences which hee had with *Luther* in that city, he diſputed that matter at large, which having well digeſted, he doubted not but that he might ſay with aſſeveration, & without danger of errour, that there was no other way to give remedy to the ſcandals paſt, preſent, and to come, then by bringing backe thoſe things to their firſt beginning. That it is a cleare caſe, that, howſoever the Pope may free the faithfull from any puniſhment, by the meanes of Indulgences, yet to him that readeth the Decretals it plainely appeareth, that an Indulgence is an abſolution from penance impoſed in confeſſion onely. Wherefore cauſing the diſuſed penitentiary Canons to be obſerved again, and impoſing convenient penance, every one would evidently ſee the neceſſity and utilitie of Indulgences, and would earneſtly ſeeke them, to free themſelves from that great burthen of penance; and the golden age of the Primitive Church would returne again, in which the Prelates had abſolute command over the faithfull, onely becauſe they were held in continuall exerciſe with penance; whereas now, being become wanton, they would ſhake off from them the yoke of obedience. The people of *Germany*, who buried in idlenes, gave eare to *Martin* for preaching Chriſtian liberty, if they were curbed with penances, would thinke no more of this innovation, and the Apoſtolicall Sea might favour therein whoſoever would be thankfull to it in that behalfe.

Card. *Cajetan* diſſwadeth the Pope from making a decree concerning Indulgences.

55 This opinion pleaſed the Pope, as grounded upon authority, and whereunto he ſaw not what oppoſition could be made. He cauſed it to be propoſed in the Penitentiary Court, to finde a meanes and forme how to put it in practice, firſt in *Rome*, and then in all Chriſtendome. For this cauſe divers aſſemblies were made by the deputies for the reformation, together with the Penitentiaries, to treat of the manner how to uſe it: But ſo many difficulties did croſſe it, that in concluſion *Lorenzo Puccio*, a Florentine, Cardinal of *Sancti Quatro*, who was Datary to Pope *Leo*, and (as hath been ſaid) a diligent miniſter to find out mony, and was now chief Penitentiary, related to the Pope, with a general aſſent, that the propoſition was thought impoſſible, and that, when proofe thereof ſhould be made, inſtead of curing the preſent diſeaſes, farre greater would be ſtirred up. That the Canonicall puniſhments were grown into diſuſe, becauſe they could no longer be ſupported, for want of the ancient

Who was willing to embrace his opinion.

But was diſſwaded by *Lorenzo Puccio*.

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ancient zeale. Wherefore for him that would bring them backe, it was necessary he should make the same zeale and charity in the Church to returne again. That this present age was not like unto those that were past, in which all the Constitutions of the Church were received, without thinking any more of them; whereas now every one will be a judge, and examine the reasons: Which, if it happen in things that bring with them no burden at all, or very little, how much more must it be expected in a thing that would be most heavie. It was true, that the remedy was fitted to the disease, but that it was too strong for the body that was sicke, and in stead of curing would kill it, and that in place of regaining *Germany*, *Italy* would first be lost, and that estranged much more. The Cardinall added, mee thinkes I heare one say, as S. *Peter* did, Why do they tempt God, laying upon the Disciples shoulders that, which neither we nor our fathers have bin able to beare? This his Holinesse should remember that famous place of the glosse, alleaged by him in his fourth book upon the sentences, that, concerning the value of Indulgences, the complaint is both old and doubtfull; That hee should consider the foure Opinions, all Catholique, and yet so different as that Glosse doth recite. Whereby it is manifest, that this matter in these times requireth silence rather then any further discussion.

Foure very different opinions about Indulgences, and all Catholique.

56 These reasons sank deep into *Adrians* mind, and made him not know what to doe, and he was perplexed so much the more, because he found no lesse difficulty in other things, which, in his secret purpose, he meaned to reforme. In the matter of dispensations for marriage, the taking away of many prohibitions against contracting matrimony betweene certaine persons, which seemed superfluous, and hard to bee observed (whereunto hee was much inclined, and it would have been a great ease to the people) was blamed by many, as a thing that weakened the sinewes of discipline, and the continuing of them made the Lutherans say, that they were onely to get money. To restraine the dispensations to certaine qualities of persons, was to give new matter to the pretendants to alleadge that in spirituall things, and in whatsoever belonged to the ministery of CHRIST, there was no difference of persons. To take away pecuniary expences for these things, that could not be, but by rebuying the Offices which *Leo* sold, the buyers whereof were gainers by this. Which also hindered the abolishing of *Regresses*, *Accesses*, and *Coadjutories*, and other devices used in the collation of Benefices, which had the appearance (if not rather the essence) of Simony. To rebuy the offices was impossible, in regard of the great charges which must bee made, and alwayes continued. And that which most troubled his mind was, that when he was resolved to take away any abuse, there wanted not some, who took upon him to maintain with colourable shew, that the thing was good or necessary. With these doubts the Pope was grieved untill November, desirous to make some notable provision, to give the world a tast of his minde, who was resolute to remedy all the abuses, before he began to treat in *Germany*.

The counsell of *Franciscus Soderinus*.

57 At length *Franciscus Soderinus* Cardinal of *Preneste*, called Cardinal of *Volterra*, in whom he put most confidence (though afterward he was so far in his disfavour that he cast him into prison) made him come to a resolution. This Cardinall,

Cardinall, moſt converſant in managing civill affaires, and imployed in the Papacies of *Alexander*, *Julius*, and *Leo*, which were full of divers and important accidents, in all his diſcourſes with the Pope caſt out words which might inſtruct him. He commended his goodneſſe, his ingenuity, and his mind inclined to the reformation of the Church, and the rooting out of hereſies, adding, notwithſtanding, that he could not have praiſe by his good intention onely, not able to do good by it ſelfe, unleſſe he joyned thereunto an exact choice of fit meanes, and an execution managed with the greateſt circumſpection. But when he ſaw him conſtrained by the ſtraitneſſe of time to reſolve, he told him there was no hope to confound and root out the Lutherans by correcting the manners of the Court, but rather that it would be a meanes to augment their credit much more. For the people, who alwaies judge by the events, when they ſhall be aſſured, by the following amendment, that the Popes government was juſtly reprehended, will perſwade themſelves likewiſe, that the other innovations propoſed have good foundation, and the arch-heretiques, ſeeing they have overcome in one part, will not ceaſe to reprehend the reſt. That in all humane affaires it falleth out, that to receive ſatisfaction in ſome requeſts, giveth pretence to prepare more, and to thinke they are due. That reading the ſtories paſt, of the times when hereſies have bin raiſed againſt the authority of the Church of *Rome*, it will appeare, that all took pretence from the corrupted manners of the Court. Nevertheleſſe, never any Pope thought fit to reforme them, but after admonitions and inſtructions uſed, to induce the Princes to protect the Church. That, whatſoever hath ſucceeded well heretofore, ought alwayes to bee obſerved and kept. That nothing did more ruine a governement, then to change the manner of ruling it. That to open new wayes not uſed, was to expoſe himſelfe to great dangers, and that it was moſt ſecure to tread in the ſteppes of the holy Popes, who alwayes have brought their enterpriſes to a proſperous end. That no man hath ever extinguiſhed hereſies by reformations, but by Cruſadoes, and by exciting Princes and people to root them out. That he ſhould remember that *Innocentius* the third, did by ſuch meanes happily oppreſſe the *Albigenſes* of *Languedoc*, and the next Popes extinguiſhed in other places, and by no other means, the *Waldenſes*, *Picards*, poore people of *Lions*, *Arnaldiſts*, *Speroniſts*, and *Patavines*, ſo that now there remaineth no more of them but the name onely. That there would not want Princes in *Germany*, who, in caſe the Pope would give them leave to ſeaze themſelves of the ſtates of *Luthers* favourers, would greedily embrace the condition; and that he might cauſe many people to follow them, by granting Indulgences and Pardons to whoſoever would aſſiſt them. The Cardinall put him alſo in minde, that he ought not to think of the Germane ſtirres in Religion, as if there were no more imminent danger of the Apoſtolicall Sea; becauſe the warre of *Italy*, a thing of greater perill, hanged over their heads, whereunto he ought principally to apply his minde: in managing whereof, if he wanted money, which is the ſinew of warre, he might receive ſome notorious affront, and that no reformation could be made, that would not notably diminiſh the rents of the Church; which having foure fountaines, the one temporall, the rents of the Eccleſiaſticall ſtate, the other three ſpirituall,

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rituall, Indulgences, diſpenſations, and collations of Benefices, none of them could be ſtopped, but that one quarter of the revenues would be cut off.

Adrian bewaileth the condition of Popes.

58 The Pope relating theſe diſcourſes to *William Encourt*, whom afterward he created Cardinall, and *Theoderic Hezius*, his familiar and truſty friends, ſaid the condition of Popes was miſerable, ſeeing it was plaine that they could not do good, though they deſired and endevoured to doe it; and concluded, that before the journey which he was to make into *Germany*, it was not poſſible to effect any one point of reformation, and that it was neceſſary they ſhould be contented to beleeve his promiſes, which he was reſolved to maintaine, though it were to deveſt himſelf of all temporall dominion, and to be reduced to the life of the Apoſtles. Nevertheleſſe, he gave ſtraight commiſſion to both, of which one was Datary, and the other Secretary, that they ſhould be ſparing to grant Indulgences, diſpenſations, regreſſes, and coadjutories, untill meanes were found to give a rule for them by a law and perpetuall Conſtitution. Theſe things, having read them largely related in a Diarie of the Biſhop of *Fabriano*, where he noted all the remarkeable things which he had ſeene and heard, I was willing briefly to repeat here, becauſe they may ſerve much to the underſtanding of thoſe things which ſhall bee ſpoken of hereafter.

The Biſhop of *Fabriano* is ſent Nuncio to the Diet of *Noremberg*.

59 In the firſt Conſiſtory of November, by conſent of the Cardinalls, he appointed *Franceſco Chiericato*, whom he knew in *Spaine*, Biſhop of *Fabriano* (whom I named but a little before) for his Nuncio to the Diet of *Noremberg*, which was aſſembled in abſence of the Emperour, who, ſome few moneths before was forced to paſſe into *Spaine*, to appeaſe the tumults and ſeditions begun in thoſe kingdomes. The Nuncio arrived at *Noremberg* at the end of the yeare, and preſented the Popes letters to the Electors, Princes, and Orators of Cities, written generally to them all, under the date of the five and twentieth of November; in which he firſt complained, that *Martin Luther* having beene condemned by the ſentence of *Leo*, and the ſentence executed in *Wormes* by the Emperours Decree, publiſhed throughout all *Germany*, he perſevered notwithſtanding in the ſame errours, continually publiſhing bookes full of hereſies, and that he was favoured not onely by the meaner ſort, but even by the Nobles alſo; Adding, that though the Apoſtle foretold that hereſies were neceſſary for exerciſe of the godly, yet that neceſſitie was tolerable in times convenient, not in thoſe, in which Chriſtianity being oppreſſed by the Turkiſh armes, all induſtry ſhould be uſed to purge the diſeaſe within; that the dammage and danger, which it bringeth by it ſelfe alone, hindereth his endevours againſt ſo great an enemy. Then he exhorteth the princes and people not to make ſhew of giving any conſent to ſo great an abomination, by tolerating it any longer. He ſhewed them, that it was a moſt ſhamefull thing to ſuffer themſelves to be led out of the way of their anceſtors, by a poore ſimple Friar; as if only *Luther* were of underſtanding, and wiſe. He advertiſeth them, that if *Luthers* followers have denied obedience to the Eccleſiaſticall lawes, much more will they eſteem baſely of the ſecular; and if they have uſurped the goods of the Church, much leſſe will they abſtaine from thoſe of the Laity; and having dared to lay their hands upon the Prieſts of God, they will not ſpare the houſes, wives, and children of them.

The Popes letter to the Diet againſt *Luther*.

them. He exhorteth them, if they cannot reduce *Martin* and his followers into the right way by faire meanes, to proceed to ſharp and fierie remedies, to cut the dead members from the body, as anciently was done unto *Dathan* and *Abiram*, to *Ananias* and *Saphira*, to *Jovinian* and *Vigilantius*; and finally as their predeceſſors did againſt *John Huſſe*, and *Hierome* of *Praghe*, in the Councell of *Conſtance*, whoſe example, in caſe they cannot otherwiſe doe, they ought to imitate. In concluſion he referreth himſelfe as well in this particular, as in other affaires, to the relation of *Franceſco Chiericato* his Nuncio. Hee wrot letters alſo almoſt to all the Princes, with the very ſame conceits; and to the Elector of *Saxonie* he wrot in particular, that he ſhould conſider what blemiſh it would be to his poſterity, to have favoured a frantike man, who put confuſion into the world with impious and fooliſh inventions, turning upſide downe the doctrine eſtabliſhed by the blood of the Martyrs, labours of the holy Doctors, and armes of the moſt valiant Princes; that he ſhould walk in the pathes of his anceſtours, not ſuffering his eyes to bee dazled by the furie of a pettie companion, to follow errours condemned by ſo many Councells. 1523 ADRIAN 6. CHARLES 5. HENRY 8. FRANCIS 1.

The Popes letter to the Duke of *Saxonie*.

60 The Nuncio preſented to the Diet, not onely the Popes Briefe, but his own inſtructions alſo, by which he was injoyned to exhort the Princes, with ſeven reaſons, to oppoſe themſelves againſt that peſtilent doctrine of *Luther*. The firſt, becauſe the worſhip of God, and charity towards their neighbour mooved them thereunto. Secondly, the infamie of their nation. Thirdly, their own honour, ſhewing themſelves not to degenerate from their predeceſſours, who were preſent at the condemnation of *John Huſſe* in *Conſtance*, and of the other heretiques, leading ſome of them to the fire, even with their owne hands, and that they would not faile of their owne promiſe and conſtancie, the greater part of them having approoved the Emperours edict againſt *Luther*. Fourthly, that the injury ſhould move them, which *Luther* hath done to their progenitors, publiſhing another faith then that which they beleeved, and concluding by conſequence that they are all in hell. Fiftly, they ought to be moved, by the marke which the Lutherans aime at, which is to weaken the ſecular power, after they have annihilated the Eccleſiaſtical, by a falſe pretence that it is uſurped againſt the Goſpell; although they craftily make ſhew to preſerve the ſecular, onely to deceive them. Sixtly, that they ſhould conſider the diſſentions and confuſions raiſed in *Germany* by that ſect. And finally he deſireth them to obſerve that *Luther* treadeth in the ſame way that *Mahomet* did long agoe, permitting carnall inclinations to be ſatiated, though he ſeeme to doe it with more modeſty, that he may the more powerfully deceive them. And if any ſhould ſay that hee was condemned in abſence and without defence, and therefore that it were fit to heare him, the anſwer was, that it was a juſt thing to heare him in that which concerneth the fact, that is, if he have preached, written, or not; but that in matter of faith, and of the Sacraments it was not covenient: becauſe that ought not to be queſtioned, which hath beene once confirmed by generall Councells, and by the whole Church. Then the Pope giveth him commiſſion to acknowledge ingeniouſly, that this confuſion was cauſed by the ſinnes of men, eſpecially of the Prieſts and Prelates; confeſſing that ſome yeeres ſince

The Nuncio perſwadeth the Princes by ſeven reaſons to oppoſe *Luther*. 1523

The Pope confeſſeth the abuſes of the Clergie, not excepting the Apoſtolike Sea.

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ſome abominations have been committed even in that holy Sea, many abuſes in ſpirituall things, many tranſgreſſions of the commandements, and laſtly, all things turned to the worſt, ſo that it may be ſaid, that the infirmity is paſſed from the head to the members, from the Popes to the inferiour Prelates, inſomuch that there hath been none that hath done good, no not one. For the amendment of which evil, himſelf is reſolved to imploy all his wits, and uſe all diligence that the Court of *Rome*, from whence peradventure all this miſchief proceeded, ſhould be reformed firſt of all. Which he will the rather doe, becauſe he ſeeth that all the world doth earneſtly deſire it. Notwithſtanding that no man ought to marvaile, if he ſhall ſee that all the abuſes be not ſo ſuddenly amended. For the diſeaſe being inveterated and multiplied, it is neceſſary to proceed ſlowly in the cure, and to begin from things of greateſt weight, to avoid the confounding of all, by deſiring to do all together. He gave him commiſsion alſo to promiſe in his name the obſervation of the Concordates, that he would informe himſelf of the cauſes called into the *Rota*, to remaund them to the parties according unto juſtice. And laſtly, that he ſhould ſollicite the Princes and States in his name, to anſwer the letters, and to informe him of the meanes, by which he might moſt commodiouſly reſiſt the Lutherans. Beſides, the preſentation of the Popes Briefe, and the information, the Nuncio propoſed that it was obſerved that almoſt every where in *Germany*, religious men forſook the Cloiſters, and returned to the world, and that the Prieſts married themſelves, to the great contempt and diſgrace of religion; and the greater part of them committed many exceſſes and enormities. Wherefore it was neceſſary that ſome order were taken that theſe ſacrilegious marriages might be diſſolved, the Authours ſeverally puniſhed, and the Apoſtates reduced under the power of their Superiours.

The anſwer of the Diet.

61 The Diet anſwered the Nuncio in writing, that with reverence they had read the Popes Brief, & the inſtructions concerning *Luthers* ſect, and that they gave thankes to God for his Holineſſe aſſumption to the Popedome, wiſhing him all happineſſe from above. And (when they had ſpoken what came into their minds about the concord between Chriſtian Princes, and the warre againſt the Turks) concerning the demand to execute the ſentence given againſt *Luther*, and the Edict of *Wormes*, they anſwered that they were moſt ready to employ all their power to root out hereſies, but that they had omitted to execute the Sentence, and Edict, for moſt weightie and urgent cauſes, in regard that the greater part of the people was perſwaded by *Luthers* bookes that the Court of *Rome* had brought many grievances upon *Germany*; ſo that if any thing had beene done for execution of the ſentence, the multitude would have entred into ſuſpition that it was done to uphold and maintaine the abuſes and impietie, and popular tumults would have been raiſed, with danger of civill warres. Wherefore they ſaid, that in ſuch difficulties, more fitting remedies were neceſſary; eſpecially himſelfe the Nuncio having confeſſed in the Popes name that theſe evills proceeded from the ſinnes of men, and promiſed a reformation of the Court of *Rome*: the abuſes whereof, if they were not amended, and the grievances removed, and ſome Articles reformed, it was impoſsible to make peace between

tweene the Eccleſiaſtiques and Seculars, and to extirpate the preſent tumults. And becauſe *Germany* had conſented to the paiment of Annates, upon condition they ſhould be ſpent in the warre againſt the Turks, they being paid ſo many yeeres, and never converted to that uſe, they deſired the Pope, that from henceforth the Court of *Rome* might not bee troubled to exact them, but that they might be left to the Exchequer of the Empire for the expences of that warre. And whereas his Holineſſe demanded counſell of the means, by the which he might oppoſe himſelfe to ſo great inconveniences, they anſwered, that, if the treaty were not of *Luther* onely, but of rooting out altogether many errours, and vices which by long cuſtome, and for divers reſpects, have taken deep root, by ſome ignorantly, by others maliciouſly defended, they deemed no remedy more commodious, effectuall, and opportune, then if his Holines, by the Emperours conſent, would call a godly, free, and Chriſtian Councell, ſo ſoone as it were poſſible, in ſome convenient place in *Germanie*; that is, in *Argentine*, in *Mentz*, *Collen*, or *Metz*, not deferring the convocation thereof above a yeare; granting power to every one, as well Eccleſiaſticall as Secular, to ſpeak and give counſell for the glory of God, and ſalvation of ſoules, any oath or obligation to the contrary notwithſtanding. Which, they thinking that his Holineſſe ought ſpeedily to execute, and being deſirous to make, for the interim, the beſt proviſion they were able, they were reſolved to treat with the Elector of *Saxonie*, that the Lutherans ſhould neither write nor print any more, & that the preachers throughout al *Germany* ſhould be ſilent in thoſe things that might cauſe popular tumult, & ſhould preach the holy Goſpel ſincerely & purely, according to the doctine approved by the Church, not moving diſputations, but reſerving all controverſies to the determination of the Councel. That the Biſhops ſhould depute godly and learned men to be ſuperintendents over the preachers, to informe & correct them; yet ſo, as that no ſuſpition might be given that it was done to hinder the truth of the Goſpel, that hereafter no new thing ſhould be printed before it were ſeen & allowed, by honeſt & learned men. Hoping by this means to provide againſt the tumults, if his Holines will take order againſt the grievances, and ordaine a free and Chriſtian Councell; not doubting but that the tumults will ſo be quieted, and the greater part reduced to tranquillity. For undoubtedly all honeſt men would expect the determination of the Councell, when they ſaw that it was to be celebrated quickly. Concerning married Prieſts, and religious men, who returned to the world, they thought it ſufficient if the Ordinaries did impoſe upon them Canonicall puniſhments, becauſe the Civill Lawes had made no proviſion againſt them: but in caſe they commit any wickedneſſe, that the Prince, or Magiſtrate, in whoſe Territory they ſhall offend, ought to give them their due chaſtiſement.

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The Councell is demanded in the Diet to be held in ſome place of *Germany*.

62 The *Nuncio* was not ſatisfied with this anſwer, and reſolved to reply. And firſt for the cauſe why the Popes ſentence, and the Emperours Edict againſt *Luther* were not executed, he ſaid, that the reaſon alleadged did not ſatisfie, which was, that they refrained to do it, to avoid ſcandals. For it was not convenient to tolerate an evill, that good may come thereby, and that they ought to eſteeme more the ſalvation of ſoules, then worldly tranquillity. He added that *Luthers* followers ought not to be excuſed by the ſcandals

The reply of the Nuncio to the anſwer of the Diet.

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and grievances of the Court of *Rome*. For in caſe they were true, yet ought they not to forſake the Catholike unitie, but rather ſupport whatſoever was amiſſe with all patience. whereupon he entreated them to execute the ſentence and Edict before the Diet ended. And if *Germany* were any way burthened by the Court of *Rome*, the Apoſtolicall Sea would bee ready to eaſe it. And if there were any differences betweene the Eccleſiaſtiques, and ſecular Princes, the Pope was willing to compoſe and extinguiſh them. Concerning the Annates, then he ſaid nothing, for that his Holineſſe would anſwer them in time convenient. But to their demand of a Councell, he replied, that his hope was, that it would not diſpleaſe his Holines, if they had demanded it in more fitting termes, and therefore beſought them to take away all thoſe words that might give him any *umbrage*: As thoſe, that the Councell might be called by the Emperours conſent; and thoſe other, that the Councell might be celebrated rather in one Citie then another. For if they were not taken away, it ſeemed they would binde his Holineſſe hands, a thing which could not produce any good effect. For the Preachers, he intreated them that the Popes decree might be obſerved, that thenceforward none might preach before his doctrine were examined by the Biſhop. For the Printers and divulgers of Books, he replied that the anſwer no way pleaſed him, that they ought to execute the ſentence of the Pope and Emperour, to burne the Books, and puniſh the divulgers, earneſtly advertiſing them that all conſiſted in this. And concerning books to bee printed hereafter, that the late *Lateran* Councell ought to be obſerved. But, for the married Prieſts, the anſwer would not have diſpleaſed him, had it not had a ſting in the taile, while it was ſaid, that if they ſhall do any wicked thing, they ſhall bee puniſhed by the Princes or Magiſtrates. For this would be againſt the liberty of the Church, and the ſickle would be put into another mans field, and thoſe men would be cenſured by the world, who are reſerved unto Christ. For Princes ſhould not preſume to beleeve that they were devolved to their juriſdiction by their apoſtaſie, nor that they could be puniſhed by them for their other offences, in regard, the character remaining in them, and the order, they are ever under the power of the Church; neither can princes do more then delate them to their Biſhops and ſuperiours, that may chaſtiſe them. In the end he deſired them to conſider more maturely upon the foreſaid things, and to give a better anſwer, more plaine, more ſound, and better conſulted of.

Was not well taken by the Princes.

63 The reply of the Nuncio was not well taken in the Diet, and it was commonly ſpoken amongſt thoſe Princes, that he had a meaſure of good and evil, only by relation unto the profit of the Court, and not to the neceſſities of *Germany*; and that the conſervation of the Catholike amity, ought rather to incite to do the good that is eaſie to bee executed, then to ſuport the evil which is hard to be indured. And yet the Nuncio deſired, that *Germany* would ſupport, with all patience, the oppreſſions laid upon it by the Court of *Rome*, which was not willing to bend it ſelfe, though never ſo little to do good, or rather to deſiſt from evil, but with promiſes only. They ſaid, his Holineſſe had too quick a ſenſe, if hee would bee offended by ſo modeſt and ſo neceſſary a demand of a Councell. And after long diſcuſſion it was reſolved by common conſent, not to give any other anſwer but

The Diet reſolveth to give no other anſwer.

to

to expect what the Pope would resolve upon that which they had given already. 1523

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64 Afterwards the secular Princes made a long complaint apart, of that which they pretended against the Court of *Rome*, and the whole Ecclesiasticall order; reducing it to an hundred heads, which therefore they called *Centum gravamina*. These they sent unto the Pope (because the Nuncio, unto whom they were imparted, went away before they were enlarged) with protestation that they neither would nor could endure them any longer, and that they were constrained by necessity, and the iniquity of them, to seeke with all industry to free themselves from them, and by the most commodious waies they could.

The hundred grievances of the Princes of *Germany*.

65 It would be long to expresse the whole contents. But in summe, they complained of the payment for dispensations and absolutions; of the money which was drawen from them by indulgences; of the suits in Law which were drawen to *Rome*; of the reservation of Benefices, and the abuses of Commendaes, and Annates; of the exemption of the Ecclesiastiques in offences; of Excommunications & unlawfull interdicts; of Lay causes drawen before the Ecclesiasticall Judge by divers pretences; of the great expences in consecrating Churches and Church-yards; of pecuniarie penance; of expences to have the Sacraments and the buriall. All which were reduced to three principall heads; to enthrall the people, to rob them of their money, and to appropriate unto themselves the jurisdiction of the secular Magistrate.

66 The sixt of March the *Recesse* was made with the precepts contained in the answer to the Nuncio; and a little after every thing was printed, as well the Popes Briefe, as also the instructions of the Nuncio, the answers, and replies, with the hundred greivances: and they were divulged through *Germany*, and passed from thence to other places, and even unto *Rome* also. Where the open confession of the Pope, that all the mischiefe proceeded from the Court of *Rome*, and from the Ecclesiasticall order, did not please; and generally it was not gratefull to the Prelates. For it seemed to be too ignominious, and might make them more odious to the world, and cause the people to dispise them; yea, that it would make the Lutherans more bold and saucy. And it grieved them most of all, to see a gate opened, where necessarily the moderation of their profits, which they so much abhorred, would bee brought in, or themselves convinced of incorrigibility. And those that excused the Pope most, did attribute it to his small knowledge of the Artes by which the Pontificall greatnesse, and the authority of the Court is maintained, which are founded upon reputation. They commended the judgement and wisdome of Pope *Leo*, who knew how to attribute the bad opinion which *Germany* conceived of the manners of the Court, to the want of knowing it. And therefore he said in the Bull against *Martin Luther*, that if he, after he was cited, had come to *Rome*, he would not have found so many abuses in the Court, as was beleeved.

The Recesse of the Diet.

The Popes confession of the abuses of the Clergie was dolefull in *Rome*.

Reputation is the chiefest ground of the Pontificall greatnesse.

67 But in *Germany* those that were ill affected to the Court of *Rome*, expounded that ingenuous confession in the worser sense, saying, it was an usual Art to confesse the evill, and to promise the amendment thereof, without any thought to effect any thing, to lull asleep those that are not wary, to enjoy

The Popes confession was ill expounded in *Germany*.

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the benefit of time, and, in the meane ſpace, by treating with Princes, to juſtifie themſelves, in ſuch ſort, that they may the better make the people ſubject unto them, and take from them all power to oppoſe themſelves againſt their wills, and to ſpeak of their defects. And becauſe the Pope ſaid, that in giving the remedy, it was neceſſary not to ſtrive to provide againſt all at once, for feare of cauſing great miſchiefe, but to do things ſtep by ſtep, they laughed at it; adding that it was well ſaid, ſtep by ſtep, but ſo that there were a whole age betweene one and another. But, in regard of *Adrians* good life before his aſſumption to the Papacie, as well after he was Biſhop and Cardinall, as before, and the good intention which was ſhewed in all his actions, holy men expounded all in a good ſenſe, thinking verily that hee confeſſed the errors with ingenuity, and that hee would redreſſe them ſooner then hee promiſed; neither did the event make them judge the contrary. For the Court being not worthy of ſuch a Pope, it pleaſed God to call him, almoſt as ſoone as he had received the relation of his Nuncio from *Noremberg*. For the 13 of September he ended the courſe of his yeeres.

Pope *Adrian* dieth.

68 But when the decree of the *Receſſe* of *Noremberg* was publiſhed in *Germany*, with the precepts concerning Sermons and Prints, the greater part eſteemed not thereof; but thoſe that were intereſted, aſwell followers of the Church of *Rome*, as *Lutherans*, expounded all in their owne favour. For it being ſaid that the things which might ſtirre up popular tumults, ſhould not be ſpoken of, the Catholiques underſtood it, that the things brought in by *Luthers* doctrine, and the reproofe of the abuſes of the Eccleſiaſticall order ſhould not be ſpoken of; and the *Lutherans* ſaid, that the meaning of the Diet was, that the abuſes, which ſtirred up the people againſt the Preachers, when they heard as well bad things as good repreſented unto them, ſhould not be defended. And that part of the Decree, which commanded to preach the Goſpel according to the doctrine of writers approved by the Church, the Catholiques underſtood, according to the doctrine of the Schoole-men, and the laſt poſtillers of the Scriptures. But the *Lutherans* ſaid, it was to be underſtood of the holy Fathers, *Hilarie*, *Ambroſe*, *Auſtin*, *Jerom*, and the like; expounding alſo, that, by vertue of the Edict of the *Receſſe*, it was lawfull for them to continue in teaching their doctrine untill the Councell, and the Catholiques underſtood that the meaning of the Diet was, that they ſhould continue in the doctrine of the Church of *Rome*. Whereby it appeared, that the Edict, in ſtead of quenching the fire of Controverſies, enflamed it the more; and in the mindes of godly men there remained a deſire of a free Councell, unto which it ſeemed, that both the parties would ſubmit themſelves; hoping that by this they ſhould be delivered from ſo great miſchiefe.

The decree of the Receſſe of *Noremberg* was expounded in contrary ſences according to mens contrary intereſts.

69 After the death of *Adrian*, *Julio de Medicis*, couſin to Pope *Leo*, was created ſucceſſor, and called *Clement*, the ſeventh; who ſuddenly applied himſelfe to the affaires of *Germany*. And, being skilfull in the knowledge of negotiations, he ſaw cleerely that Pope *Adrian*, contrary to the ſtile of wiſe Popes, was too facil, as in confeſſing the defects of the Court, ſo in promiſing the reformation; and too abject in asking counſell of the Germans how proviſion might be made againſt the contentions of that kingdome. For thereby hee

Julio de Medicis, couſin to *Leo* the tenth, was created Pope, and called *Clement* the ſeventh. *Anno* 1524.

hee drew upon his back the demand of a Councell, which was of great importance, especially with condition to celebrate it in *Germany*, and had given too much courage to the Princes, that they dared not onely to send, but to print also the hundred grievances; a writing ignominious to the Ecclesiastiques of *Germany*, but more to the Court of *Rome*. Having considered all things well, he resolved that it was necessary to give some satisfaction to the Dutch men; yet so, that his authority might not bee indangered, nor the commodities of the Court taken away. Hee considered that howsoever some of the 100 grievances concerned the Court, yet the greater part touched the Bishops, Officials, Curates, and other Priests of *Germany*. Therefore hee hoped that if the foresaid persons were reformed, the Germans would easily be induced to be silent for the present, in that which concerned *Rome*: and that with that reformation hee should have diverted the treaty of the Councell. Therefore he thought it convenient suddenly to dispatch a Legat, a man of wisdome and authority, to the Diet, which was to bee celebrated three moneths after in *Noremberg*, with instruction, to walke in the same way; and above all, to dissemble the knowledge of *Adrians* propositions, and of the answers given unto him, that hee might not receive any prejudice in his Treatie, and might proceed, as if the matter were to begin. 1524 CLEMENT 7 CHARLES 5 HENRY 8. FRANCIS 1.

70 The Legat was *Lorenzo Campeggio*, Cardinall of S. *Anastasia*; who being come to the Diet, after he had treated of divers things, with divers particular men, to set his negotiation in order, he spake also in publike, where hee said, that he wondred that so many Princes, and so wise, could endure that religion, rites, and ceremonies, in which, they, their fathers and ancestors deceased, were borne and bred, should be extinguished and abolished, not considering that such innovation tended to the rebellion of the people against the Magistrates. That the Pope not aiming at any interest of his owne, but having a fatherly compassion of *Germany*, fallen into spirituall and temporall infirmities, and subject to very great imminent dangers, had sent him to finde a meanes to cure the disease. That it was not the intention of his Holinesse to prescribe any thing unto them, much lesse that any thing should bee prescribed unto himselfe, but only to consult of the fit remedies, concluding that, if the diligence of his Holinesse were refused, it would not afterwards bee reasonable to lay any fault upon him. Card. *Campeggio* is Legat to the Diet of *Noremberg*.

71 He was answered by the Princes (for the Emperour was in *Spaine*, as was said before) after they had thanked the Pope for his good will, that they knew well the danger which hanged over their heads, by reason of the change of the doctrine of Religion; that therefore, in the Diet the yeere before, they had shewed unto the Nuncio of Pope *Adrian*, a meanes and way to compose the differences, and had given him also in writing whatsoever they desired or sought from *Rome*; which writing they beleeved that *Adrian* had received, because the Nuncio promised to deliver it, as also they thought that the grievances, which *Germany* received from the Clergie, were known unto all, being published in Print, and that they expected, even untill that instant, that their just desires should bee heard, and continued expecting still. Wherefore, if he had any order or instruction from the The answer of the Diet.

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the Pope, they praid him to declare it, that they might consult of the whole together with him.

The Legats reply.

72 To this the Legate replied, according to his commission, that he knew not that any instruction had bin brought to the Pope or Cardinals, concerning the means & way of composing the differences in religion. But he well assured them of the Popes very good meaning, from whom hee had most absolute power, to do whatsoever might serve for that end; but that it concerned them to shew the way, who knew the condition of the persons, and the customes of the country. That it was very well known that *Cæsar* in the Diet of *Wormes*, had published, by their consent, an Edict against the Lutherans, whereunto some had given obedience, and some not; of which diversity and varietie he knew not the reason: but it seemed good unto him, that first of all they ought to deliberate of the meanes, how to put it in execution. That, although he had not as yet understood that the 100. grievances had beene published to bee presented to the Pope, notwithstanding hee knew that three copies had beene brought to some private men in *Rome*, that himselfe had seene one of them, and that they were seen by the Pope and Cardinals, who could not perswade themselves that they were collected by any of the Princes, but thought they were set out by some malignant person in spite to the Court of *Rome*; that although he had neither order nor instruction from the Pope in that matter, yet they ought not to thinke that hee had not authority to treat thereof, as occasion served. Hee said, that in those demands, there were many that derogated from the power of the Pope, and savoured of heresie: that of those he could not treat, but offered to be informed to speak of those which were not against the Pope, and had ground of equitie, that if any thing remained, to be treated of with his Holines, they might propose it, but in more moderate termes. That he could not choose but finde fault that they were printed and published, because it seemed too much; yet that hee was certaine, that the Pope, being Universall Pastour, would do any thing for the love of *Germany*: but if the voice of the Pastour were not heard, the Pope and himselfe must take it patiently, and referre every thing to God.

Is suspected by the Diet.

73 The Diet, though they did not think it probable, that the Cardinal and Pope knew not the treaties with *Adrian*, and judged, that in the Legates answers there might be cunning, yet desiring that good deliberation might bee taken for the quiet of their Country, they deputed some Princes to negotiate with the Cardinall, who could get nothing from him, but that hee would have a good reformation made of the Clergie of *Germany*; but for the abuses of the Court of *Rome*, it was not possible to make him yeeld to any thing. For when they began to discourse of them, either hee said that it was heresie to reprehend them, or that he referred it to the Pope, and that it was necessarie to treat with him thereof.

And his reformation was not accepted.

74 The Cardinall made a reformation of *Germany*, the which (touching only the inferiour Clergie, and being judged that it would not onely cherish the evil, as light remedies alwayes do, but that it would serve to inlarge the dominion of the Court, and greater Prelates, to the prejudice of temporall authoritie, & would make an entrance to greater extorsions of money) was not

not received, it being esteemed but a mask to delude *Germany*, and to reduce it under greater tyranny, though the Legat used all effectuall diligence that it might be accepted. Wherefore he would not consent to any of the propositions, made by the deputies of the Diet. By this it being plaine, that it was impossible to conclude any thing with him, they published the recesse the eighteenth of Aprill, with a Decree, that by the Pope, with consent of the Emperour, a free Councell, in some convenient place in *Germany*, should be intimated, so soone as was possible; and that the States of the Empire should assemble themselves at *Spira* the eleventh of November, to determine what course should be taken untill the Councell were begun. That every Prince should call together, in his own state, men, godly and learned, to collect the things that ought to be disputed on in the Councell. That the Magistrates should have care that the Gospel should bee preached according to the doctrine of the approved writers of the Church, and all pictures and contumelious books against the Court of *Rome* should be prohibited.

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The Decree of the Diet

75 The Legat having answered to every point of the Decree, and shewed that it was not the office of Seculars, to deliberate of any thing concerning faith and doctrine, or preaching thereof, he promised that he would give the Pope an account concerning the Councell onely.

With which the Legat was not pleased

76 The Princes being gone from the Diet, the Legat endeavoured to bring together those that most favoured the affaires of *Rome*, to cause the reformation (which the Diet would not receive) to be published; and there did meet him in *Ratisbon*, *Ferdinand* the Emperours brother, the Cardinal Archbishop of *Salzburg*, two Dukes of *Bavaria*, two Bishops, of *Trent* and *Ratisbon*, and the Agents of nine Bishops. Where first they made a Decree under the date of the sixt of July; That it having beene ordered in the assembly at *Noremberg*, that the Edict of *Wormes* against *Luther* should be put in execution, as farre as was possible, therfore they, at the instance of the Legat, Cardinall *Campeggio*, did command that it should be observed in all their Dominions & States. That the innovators should bee punished, according to the forme of the Edict. That nothing should be changed in the celebration of the Masse and Sacraments. That the Apostates, Munkes and Nunnes, and married Priests, and those that received the Eucharist without confession, or did eat forbidden meats should be punished. And that all their subjects that were in the University of *Wittenberg* should depart from thence, within three moneths, and returne home, or go to some other place. The day following, being the seventh, the Cardinall published his Constitutions of the reformation, which were approved by all the forenamed Princes, and it was commanded that they should be published, received, and observed, throughout all their States and Dominions.

He laboureth to cause his reformation to be received

And effecteth it.

77 In the proeme of the Constitutions the Cardinall said, that to reforme the life and manners of the Clergy being a thing of great moment for the rooting out of the Lutheran heresie, hee had ordained these decrees by the counsell of the Princes, and Prelats assembled with him, which he commanded to be observed throughout all *Germany*, by the Archbishops, Bishops, and other Prelates, Priests, and Regulars, and published in all the Cities and Churches. They conteined seven and thirty heads, concerning the apparell and conversation

The reformation conteined 37. heads.

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ſation of the Clergie, adminiſtring *gratis* the Sacraments, and other Eccleſiaſticall functions, Banquets, Fabriques of the Churches, thoſe that were to take orders, celebration of holy-dayes, faſtings, againſt Prieſts that were married, againſt thoſe that confeſſed not, nor communicated, againſt blaſphemers, ſorcerers, ſoothſayers, and other things like theſe. In concluſion, the celebration of Dioceſan Councels every yeere was commanded for the obſervation of theſe Statutes, giving the Biſhops power to invocate the ſecular arme againſt the tranſgreſſors.

78 The Edict of the reformation being divulged, the Princes and Biſhops, who in the Diet had not conſented to the Cardinals demand, were offended, as well with him, as with all thoſe that aſſembled in *Ratisbon*, it ſeeming unto them, that they were wronged by the Legat, for making a generall order for all *Germany*, in a meeting of ſome few onely; and ſo much the rather, becauſe it was done after it was demonſtrated unto him, that no good could come thereby. They thought themſelves injured alſo by thoſe few Princes and Biſhops, who alone had taken upon them to oblige all *Germany*, contrary to the opinion of the reſt. It was oppoſed alſo againſt that reformation, that, leaving the things of importance, as if there had been no diſorder in them, they made proviſion in things of the ſmalleſt weight. For *Germany* ſuffered but little inconvenience by the abuſes of the inferiour Clergie, but great by the uſurpation of the Biſhops and Prelates, and greateſt of all by thoſe of the Court of *Rome*. And yet there was no mention made of them, as if they were now in better order then in the Primitive Church. Then concerning the inferiour Clergie, the principall abuſes were not treated of, but thoſe that were of leaſt conſequence, which was, as it were to approve them; and thoſe alſo that were reprehended, were left without their true remedies, being onely noted without applying the medicine, neceſſary to cure the maladie.

Divers Princes and Biſhops were offended with the acceptance of this reformation.

79 But the Legat, and the forenamed Princes that met him, cared but little for what was ſaid in *Germany*, and leſſe for what would follow the publication of the Edict. For their end was onely to ſatisfie the Pope, and the Popes end was onely to ſhew, that he had made proviſion that there ſhould be no need of a Councell. For *Clement*, a man skilfull in State-affaires, even in *Adrians* time, alwayes maintained that it was pernicious counſell, in the occurrences of thoſe times, to uſe the meanes of Councels, and was wont to ſay, that a Councell was alwayes good when any thing elſe was treated of but the Popes authority, but, that being called into queſtion, that nothing was more dangerous. For as in former times, the Popes ſtrength conſiſted in having recourſe to Councels, ſo now the ſecurity of the Popedome conſiſteth in declining and avoiding them; and the rather, becauſe *Leo* having condemned the doctrine of *Luther*, the ſame matter could not be handled or examined in a Councell, without doubting of the authority of the Apoſtolicall Sea.

Clement did ever think a Councel dangerous when the Popes authority was in queſtion.

80 The Emperour having received the Decree of *Noremberg*, was much moved at it; thinking that to treat and give ſo reſolute an anſwer to a ſtranger Prince, without his knowledge, in ſo important a matter, was but ſmall reputation to his Imperiall Majeſty. Neither did the rigour of the Decree pleaſe

The Emperour was diſtaſted with the Decree of *Noremberg*.

pleaſe him, foreſeeing the Popes diſpleaſure, whom he deſired to keep loving and well affected towards him, in regard of the warre which his Captaines then made with the French-men. Wherefore he wrote backe to the Princes in *Germany*, complaining, that himſelfe having condemned all the books of *Luther*, the Diet reſtrained themſelves only to thoſe that were contumelious. But he reprehended them more ſeverely, that they had decreed the celebration of a Councell in *Germanie*, and deſired the Legate to treat thereof with the Pope, as if this did not more belong to the Pope and himſelfe, then unto them; who, if they thought that a Councell would be ſo commodious for *Germany*, they ought to have recourſe unto him, to obtaine it of the Pope; howſoever he knowing alſo that this would be profitable for that Countrey, was reſolute it ſhould be celebrated, yet in time and place, when and where himſelfe could be perſonally preſent. But touching a new aſſembly at *Spira*, which they had ordained, to order their matters of Religion untill the time of the Councell, he ſaid that by no meanes he would yeeld unto it: yea, he commanded they ſhould be carefull to obey the Edict of *Wormes*, and that they handled no point of Religion, untill a Councell were called by the Popes order and his. The Emperours letters, more imperious then *Germany* was uſed to receive from his predeceſſors, moved very dangerous humours in the minds of many Princes, which floting up and down, might eaſily have come to a troubleſome concluſion.

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He writeth to the Princes.

And commandeth the execution of the Edict of *Wormes*.

81 But the moving was ſoon ſtopped, and the yeare following 1525. had no negotiation in this matter. For the Bores in *Germany* rebelled againſt the Princes and Magiſtrates, and every one was buſied with the warre of the Anabaptiſts, and in *Italy* in the beginning of the yeare ſucceeded the battell of *Pavia*, and the impriſonment of *Francis* the French King. Which ſo lifted up the Emperours minde, that he thought he had all the world in his power: But afterwards the leagues of many Princes againſt him, which were treated of, and the negotiation of the Kings liberty, gave him buſineſſe enough. The Pope alſo, becauſe *Italy* was without defence, in the power of the Emperours Miniſters, thought of his owne eaſe, and how he might be joyned with others, who were able to defend him againſt the Emperour, from whom his minde was alienated, ſeeing he was become ſo potent, that the Popedome remained at his diſcretion.

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Francis the French King is taken priſoner in the battell at Pavia.

The Pope ſuſpecteth the greatneſſe of the Emperor.

82 In the yeare 1526. they returned to the ſame treaty in *Germany* and *Italy*. In *Germany*, all the States of the Empire being aſſembled at the Diet in *Spira* in the end of June, it was conſulted of, by ſpeciall order from the Emperour, how Chriſtian Religion, and the ancient cuſtomes of the Church might be preſerved, and the tranſgreſſors puniſhed. The opinions being ſo various, that it was impoſſible to conclude any thing, thoſe that repreſented the Emperours perſon, cauſed the Imperiall letters to be read: where *Charles* ſaid, that he was reſolved to paſſe into *Italy*, and to *Rome*, for the Crowne, and to treat with the Pope for the calling of a Councell. Wherefore he commanded that nothing ſhould be ordained in the Diet contrary to the lawes, ceremonies, and ancient cuſtomes of the Church; but that the forme of the Edict of *Wormes* ſhould be obſerved, and that they ſhould patiently beare that ſmall delay, untill hee had negotiated with the Pope the celebration of a Councell,

1526

The Diet of *Spira*.

The Emperor promiſeth to procure a Councell.

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Councell, which ſhould ſhortly be. For by treating of matters of Religion in a Diet, rather hurt ariſeth then good.

Why the Edict of *Wormes* could not bee executed.

83 The Cities, for the moſt part, anſwered, that their deſire was to gratifie and obey the Emperour, but that they ſaw not the meanes how to doe that which he commanded in his letters, becauſe the controverſies were increaſed, and did increaſe ſtill, particularly concerning the ceremonies, and rites: and if for the time paſt the Edict of *Wormes* could not bee obſerved, for feare of Sedition, the difficulty was then greater, as was declared to the Popes Legate. And if the Emperour were preſent, and informed of the ſtate of the buſineſſe, he would be of the ſame opinion. Concerning the promiſe of his Majeſty, for the celebration of a Councell, every one ſaid, he might have effected it when he wrot the letters, becauſe he was then in amity with the Pope; but afterwards there being diſtaſtes betweene them, and the Pope having taken armes againſt him, it appeared not how, things ſtanding thus, a Councell could be called. For theſe reſpects ſome propoſed that the Emperour ſhould be intreated to grant a nationall Councell in *Germany*, to give remedy to the dangers that were imminent. Which if it pleaſed him not, at leaſt (the better to withſtand the moſt grievous ſeditions) that he would be contented to deferre the execution of the Edict of *Wormes* untill a generall Councell. But the Biſhops, who had no other aime but the preſervation of their owne authority, ſaid that no treaty ought to be made in the cauſe of Religion, during the diſcords betweene the Emperour and the Pope, but that all ſhould be deferred untill a better time.

A nationall Councell in *Germany* is deſired.

The Princes did not agree in the Diet of *Spira*.

84 The opinions were ſo diverſe, and ſuch diſcord, betweene the Eccleſiaſtiques, and thoſe that were inclined to *Luthers* doctine, was ſtirred up, that there appeared manifeſt danger of Civill warre, and many of the Princes put themſelves in order to depart. But *Ferdinand* and the other miniſters of the Emperour, ſeeing cleerely what danger would ariſe, if the Diet were diſſolved with ſuch diſſention of minds, and the Princes departed without any Decree (becauſe they would have proceeded diverſly, with danger to have divided *Germany*, without hope of reconciliation) they endeavoured to pacifie the chiefeſt, both of the one, and the other ſide; and in the end, they came to a reſolution, to make a decree: which though it concluded not in ſubſtance according to the Emperours mind, yet it ſhewed ſome appearance of agreement betweene the States, and obedience towards his Majeſty. The contents of it was; that it being neceſſary, for giving of order and forme to the affaires of Religion, and for the mainteining of liberty, to celebrate a lawfull Councell in *Germany*, or an univerſall of all Chriſtendome, which may begin within the compaſſe of a yeare, Ambaſſadours ſhould be ſent to the Emperour, to pray him, that he would caſt his eye upon the miſerable and tumultuous ſtate of the Empire, and to returne into *Germany* ſo ſoone as might be, to provide for it. That in the mean ſpace, while the one or the other Councell, neceſſary for the buſineſſe of Religion and of the Edict of *Wormes*, bee obtained, all the Princes and States ought to governe themſelves in their Provinces and Juriſdictions, that they may give a good account of their actions to God and the Emperour.

The decree of the Diet of *Spira*.

85 But in *Italy*, *Clement* having paſſed the yeere before in grief of mind and feares,

feares, thinking that sometimes hee saw *Charles* armed in *Rome*, to possesse himselfe of the Ecclesiasticall state, and to regaine the possession of the Roman Empire, usurped by the Artes of his predecessours; sometimes set in a Councell to moderate the Popes authority in the Church, without which, he well saw it was impossible to diminish the Temporal; and, above all, having conceived a bad presage, that all the ministers sent into *France*, to treate with the Queen mother, and the State, were perished in the journey; at last, in the end of March this yeere, he took breath a little, understanding that the King was set at liberty, and returned into *France*. Hee sent presently to congratulate with him, and to make a confederation against the Emperour. The which being ratified in *Cugnac* the two and twentieth of May between him, that King, and the Princes of *Italy*, under the name of the most holy League, and having absolved the King from the Oath taken in *Spaine*, for the observation of the things agreed upon, now delivered from feare, a passion which had much power over him, thinking he was in liberty, and being much provoked that, not onely in *Rome* and *Naples*, Ordinances were published to the prejudice of the Court of *Rome*, but, which more grieved him, that in those daies a Spanish Notary dared to appeare publikely in the *Rota*, and command two Napolitans in *Cæsars* name to desist from litigating in that Court, he resolved to declare his minde, that hee might incourage the confederates; and the three and twentieth of June, he wrote unto *Charles* a very long Briefe, in manner of an invective, where having repeated the benefits which he had done him, as well being Cardinall, as after his assumption to the Popedome, and the great offers which he had refused from other Princes, to stand firme in his friendship, seeing he was ill requited, and that there was no correspondence, neither in good will, nor observation of promises, but on the contrary much matter of suspicion was given him, and many offences committed by exciting new warres in *Italy*, and elsewhere (all which he repeated in particular) laying the blame of all the mischiefes upon the Emperour, shewing that the Papall dignity was offended in all; and passing to another kinde of offences done unto him, by publishing lawes in *Spaine*, and Pragmatiques in *Naples*, against the liberty of the Church, and the dignity of the Apostolicall Sea, he concluded in the end, not according to the use of the Popes, by denouncing spirituall punishments, but protesting unto him, that if hee will not leave to do wrong, ceasing to possesse *Italy*, and to trouble other parts of Christendome, he will not be wanting to the Justice and liberty of his Countrey, wherein standeth the protection of that holy Sea, but will move his just and holy armes against him, not to offend him, but to defend the publique safety, and his owne proper dignity.

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The Pope was distracted with feare of the Emperor, and of the Councell.

He maketh a confederation with the French King set at liberty.

Writeth a severe Briefe to *Charles*.

86 This dispatch being sent into *Spain*, the next day he wrote and dispatched another Briefe to the Emperour, without making mention of the first. Where he said in substance, that, for the maintaining of the liberty of *Italy*, and the providing against the dangers of the Sea of *Rome*, he had beene constrained to come to these deliberations, which could not be omitted without failing to performe the duty of a good Pope, and a just Prince. Wherein if his Majesty will afford the remedy, which is easie, profitable, and glorious

And afterwards another more moderate then the former.

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for him to do, hee ſhall thereby deliver Chriſtendome from a great feare; whereof his Nuncio reſiding with him, ſhall give him an account more at large. He prayed him, for Gods ſake, to heare him, and to provide for the publike wel-fare, and to conteine within the termes of juſtice, the unbridled, and injurious deſires of his miniſters, that others may reſt ſecure of their goods and lives. Under theſe laſt words the Pope comprehended principally *Pompeius*, Cardinall *Colonna*, *Veſpaſianus*, and *Aſcanius*, with others of that family, who followed the Imperiall part, and were aſſiſted by the Vice-roy of *Naples*: from whom hee daily received divers oppoſitions to his endevours. And, which made greater impreſſion in his mind, he feared alſo that they might bring the Papacie into ſtraights. For the forenamed Cardinall, a man bold and proud, contented not himſelfe to ſpeak of him publikely, as of one aſſumed to the Papacie by unlawfull meanes, magnifying what the houſe of *Colonna* had done againſt other Popes, intruders (as he named them) and unlawfully choſen, but he added that it was fatall to that family to hate the tyrannicall Popes, and to them to be reprehended by the vertue of it; and threatned him with a Councell, and treated with all the Emperors miniſters, to perſwade the Emperour to call it. Whereby the Pope being provoked to anger, the better to prevent him, publiſhed a ſevere Monitory againſt that Cardinall, citing him to *Rome*, under the greateſt penalties and cenſures; in which alſo he touched manifeſtly the Vice-roy of *Naples*, and obliquely the Emperour. But the warre was not proſperouſly begun in *Lombardie*, the army of the French King not appearing as yet; and the Chriſtian army was diſcomfited at the ſame time in *Hungary*, King *Lewis* dead, the number of thoſe who followed *Luthers* doctrine did ſtill increaſe, and all men required a Councell, which might make an univerſall peace amongſt Chriſtians, and give an end to ſo great diſorders.

The Pope ſendeth a Monitory againſt Card. *Colonna*.

And having changed his mind, maketh a long diſcourſe in Conſiſtory.

87 The Pope for theſe cauſes, having firſt compoſed the differences with thoſe of the houſe of *Colonna*, and aboliſhed the Monitory ſent out againſt the Cardinall, called a Conſiſtory the thirteenth of September; in which he commiſerated, in a long diſcourſe, the calamities of Chriſtendome, bewailed the death of the King of *Hungary*, and attributed all misfortune to the anger of God, ſtirred up by ſinne, confeſſing that all began from the deformation of the Clergy. He ſhewed how it was neceſſary, for the appeaſing of it, to begin (for ſo he ſaid) from the houſe of God, wherein he would give example in his owne perſon. He excuſed the raiſing of armes, and the Proceſſe againſt thoſe of the houſe of *Colonna*, exhorted the Cardinalls to amend their manners, ſaid he would go in perſon to all the Princes, to negotiate an univerſall Peace, reſolute rather to die, then to leave this enterpriſe, untill hee had brought it to effect, yet aſſuredly truſting in God to ſee the concluſion thereof. The which being obtained, he reſolved to call a generall Councell, to extinguiſh the deviſion in the Church, and to take away the hereſies. Hee exhorted the Cardinalls, every one to thinke of, and propoſe unto him all thoſe meanes, which they thought might ſerve for theſe two ends, that is, to plant peace, and root out hereſie. The Popes diſcourſe was publiſhed throughout *Rome* and *Italy*, and Copies thereof were ſent abroad by many; and though it was much helped by the commendation

The Popes diſcourſe was thought not to be ſincere.

mendation of his followers, yet few beleeved it to be ſincere. 1526

88 But in *Spaine* the two letters being preſented by the Popes *Nuncio*, to the Emperour, the one a day after the other, there was much ſurmiſing raiſed in the Councell of that Prince. Some of them beleeved that *Clement*, repenting himſelfe of the bitterneſſe of the firſt, had wrote the ſecond for a medicine: wherefore they adviſed that no notice ſhould be taken thereof. And this opinion was increaſed by a report given out by the *Nuncio*, that by the ſecond he had received order, that if the firſt were not delivered, it ſhould not be delivered at all, but ſent back againe, and the ſecond onely conſigned. The wiſer ſort ſaw well enough, that if the Pope had repented, he might have prevented the firſt Corrier, by cauſing the ſecond to make more haſt: moreover, that it was not likely that ſo wiſe a Prince as hee, would reſolve to write ſo bitterly without great conſultation. Therefore they thought it was a kind of cunning to make a proteſtation, and not to have an anſwer. And it was reſolved that the Emperour ſhould imitate him, anſwering to the firſt with termes fitting ſeverity, and a day after to the ſecond, according to the forme thereof.

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Surmiſes in *Spaine* concerning the two Briefes of the Pope.

The Emperour maketh two anſwers.

89 And ſo it was done, and an apologeticall letter was written by the Emperour the ſeventeenth of September, which in the originall conteined 22. ſheets of royall paper, which *Mercurius Gattinara* preſented open to the *Nuncio*, and read it to him, and ſealed it in his preſence, and conſigned it, that hee might cauſe it to bee delivered to the Pope. In the beginning of the letter the Emperour ſhewed that the forme which the Pope held was diſproportionable to the duty of a true Paſtor, and not correſpondent to the filiall obedience which hee had performed towards the Apoſtolicall Sea, and his Holineſſe, who ſo praiſed his owne actions, and ſo condemned his, with titles of ambition and avarice, that he was conſtrained to declare his innocency. And beginning the narration from what happened in the time of *Leo*, afterwards in the time of *Adrian*, and finally in his Papacie, hee ſhewed that he had a good intention in all his actions, and was inforced to doe as hee had done, laying the fault upon the Pope. He repeated many benefits which hee had done him, and on the contrary ſide many treaties which the Pope had made againſt him in divers occaſions: and in concluſion he ſaid, that he deſired nothing more then the publique quiet, an univerſall peace, and the juſt liberty of *Italy*. Which things if they were deſired by his Holineſſe, he ought to lay downe his weapons, putting *Peters* ſword into the ſheath. For this foundation being laid, it was eaſie to build peace thereupon, and to apply themſelves to correct the errours of the Lutherans, and other heretiques; wherein he ſhould have found him an obedient ſonne. But if his Holineſſe did otherwiſe, he proteſted before God and men, that he could not bee blamed for none of theſe ſiniſter chances which ſhould happen to Chriſtian Religion; promiſing that if hee will admit his juſtifications as true and lawfull, he will not remember any injuries received. But if hee ſhall continue to beare armes againſt him, becauſe this will not be the office of a father, but of a party, nor of a Paſtor, but of an aſſayler, it will not be convenient that he be judge in thoſe cauſes, and there being none other unto whom recourſe may be had againſt him, for his own

The firſt conteined 22. ſheets of royall paper.

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juſtification, he will referre all to the knowledge and judgement of a generall Councell of all Chriſtendome; exhorting his Holineſſe in the Lord to intimate it in a ſecure and fit place, limiting unto it a convenienr terme. For ſeeing the ſtate of the Church and of Religion to be altogether troubled, to provide for his owne and the common-wealths ſafety, he flieth to that ſacred and univerſall Councell, and appealeth unto it againſt all the threats paſt, and grievances to come.

The Emperours anſwer to the ſecond Brieſe.

90 The anſwer to the ſecond was made the eighteenth, and in that he ſaid, that he was glad to ſee his Holineſſe treat more lovingly, and to deſire peace more earneſtly in his ſecond letters; which if it were as much in his power to eſtabliſh, as it is in the power of others to make warre, he ſhould ſee what his mind was. Although he thinketh that his Holines ſpeaketh as thruſt forward by others, not of his voluntary mind, and hopeth in God that he will rather procure the publique good, then follow the affections of other men. Wherefore he prayeth him to behold the calamities of Chriſtendome. For he calleth God to witneſſe, that he will be alwaies ready to let every one know, that he hath none other end then the glory of God, and the ſafety of his people; as he hath written more at large in the other letters.

The Emperour writeth to the Colledge of Cardinals.

91 The Emperour, the ſixt of October, wrote alſo to the Colledge of Cardinals; that he was exceedingly grieved, that the Pope forgetting the Papall dignity, went about to diſturbe the publique quiet, and when hee thought hee had given peace to the whole world, by making the accord with the French King, that letters came to him from his Holineſſe, ſuch as he never thought would have come from a common Father, and Vicar of CHRIST: which he beleeved alſo were not reſolved on without their counſell, becauſe he was perſwaded that the Pope treated not of things of ſo great a moment, without communicating all unto them. Therfore hee was troubled very much, to ſee that from a Pope, and ſo religious fathers, ſhould proceed wars, threats, and pernicious counſells againſt an Emperour, protectour of the Church, and ſo well deſerving, that to pleaſe them hee ſtopped his eares in *Wormes* againſt the prayers of all *Germany*, made unto him againſt the oppreſſions and grievances, which it received from the Court of *Rome*, making none account of the honeſt demands that a Councell might bee called, to withſtand the foreſaid oppreſſions, which would be as much as to withſtand the Lutheran hereſie. That to ſerve the Sea of *Rome*, he had prohibited the meeting at *Spira*, which *Germany* had intimated, foreſeeing that it would have been a beginning to ſeparate it from the obedience of *Rome*, and hath diverted the thoughts of thoſe Princes by promiſing them a Councel. Whereof having written, and given an account to the Pope, his Holineſſe thanked him for having forbid the aſſembly of *Spira*, but prayed him to deferre to ſpeake of a Councell untill a more convenient time. And hee, to pleaſe, made more account to give him ſatisfaction, then of the prayers of *Germany*, which were ſo neceſſary. And yet for all this the Pope now wrote letters unto him, full of complaints and imputations, demanding things of him, which he could neither juſtly, nor ſecurely grant. Of which letters he ſendeth them a copy, being deſirous to ſignifie the whole unto them, that they might uphold Chriſtianity, now ready to fall, and imploy themſelves to

to divert the Pope from ſo pernicious a deliberation; in which if he ſhall remaine unmoveable, they may exhort him to call a Councell; whereunto in caſe he will not condeſcend according to order of law, he beſeecheth their moſt reverend Paternities, and the ſacred Colledge, that, the Pope denying or referring the convocation, they would call it themſelves, obſerving the due order. Wherefore if they ſhall refuſe to grant him this juſt demand, or ſhall deferre longer then is convenient, he will make proviſion for it himſelfe by the Imperiall authority, uſing the meanes that are juſt and fitting. This letter was delivered in the Conſiſtory the twelfth of December, and, together alſo with it a duplicate of the letter, which was conſigned to the Nuncio in *Granada*, was preſented to the Pope. 1526 CLEMENT 7 CHARLES 5 HENRY 8. FRANCIS 1. And perſwadeth them to call a Councel if the Pope refuſe.

92 All theſe letters were inſtantly printed in divers places of *Germany*, *Spaine*, and *Italy*, and many copies went up and downe from hand to hand. Thoſe perſons, who though they obſerve the accidents of the world, yet have not much capacity, and uſe to live and govern themſelves by the examples of others, and eſpecially of the Grandies, and who by the demonſtrations which *Charles* made againſt the Lutherans, as wel in *Wormes*, as in other places, in contemplation of the Papacie, beleeved that he favoured the Popes ſide for religion and conſcience ſake, ſeeing his change, were much ſcandalized, eſpecially for that he ſaid, that he ſtopped his eares to the honeſt prayers of *Germany*, to do the Pope a pleaſure. And thoſe of the wiſer ſort were of opinion, that his Majeſty was not well adviſed to divulge ſo great a ſecret, and to give the world occaſion to beleeve, that the reverence ſhewed towards the Pope, was an Art of government covered with the cloak of religion. And further they expected, that for theſe letters the Pope would ſhew ſome deſire of revenge, the Emperour having touched two great ſecrets of the Popedome: the one in appealing from the Pope to a future Councell, contrary to the Conſtitutions of *Pius* and *Julius* the ſeconds; the other, in having invited the Cardinals to call a Councell, in caſe of a negative given, or a dilation interpoſed by the Pope. And it was neceſſary that this beginning ſhould draw great conſequences with it. The Emperour is cenſured in Germany.

93 But as ſeeds, though moſt fertile, caſt into the ground out of ſeaſon, fructifie not; ſo theſe great attempts happening in time not convenient, became vaine. And ſo much happened in this occaſion. For while the Pope ſought revenge with his armes, and with the armes of ſo many Princes, that hee might uſe ſpirituall remedies, after he had made ſome temporall foundation, thoſe of the family of *Colonna*, either not truſting the Popes promiſes, or for ſome other cauſe, arming their ſubjects, and others who followed that faction, approached *Rome*, upon the ſide of the Suburbs, the twentieth of September: which amazed very much the Popes family. And the Pope himſelfe, ſurprized upon the ſudden, and wholly confuſed, knowing not what reſolution to take, called for the ſolemne Pontificall habits, ſaying, that ſo apparelled, to the imitation of *Boniface* the 8. ſitting in the Pontificall chaire, he would expect to ſee if they dared adde to the firſt, a ſecond violation of the Apoſtolicall dignity, in the perſon of the Pope himſelfe. But he eaſily yeelded to the counſell of his friends, to ſave himſelfe in the Caſtle by the gallery, and not give occaſion to be noted of folly. The family of *Colonna* aſſault *Rome*, and take it. The Pope ſaveth himſelfe in the Caſtle.

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94 The *Colonneſi* entred *Rome*, and ſacked the Popes palace, and S. *Peters* Church. They ſpread themſelves alſo even unto the principall houſes of the Borough. But the inhabitants making reſiſtance, and the *Urſim*, a contrary faction, comming in ayde againſt them, they were conſtrained to retire themſelves into a ſecure quarter, which they had taken neere hand, yet carrying with them the ſpoyles of the *Vatican*, with the infinite diſpleaſure of the Pope; and the army waxing bigger every day with ſuccours, that arrived from *Naples*, the Pope fearing ſome greater incounter, overcome by neceſſity, called into the Caſtle *Don Hugo de Moncado*, one of the Emperours miniſters, concluded a truce with him for foure moneths, with condition that the *Colonneſi* and *Neapolitans* ſhould retire themſelves from *Rome*, and the Pope ſhould call back his Souldiers from *Lombardy*: the which both parties performing, *Clement* cauſed his men to returne to *Rome*, under pretence to obſerve the capitulations of the truce; and being by them ſecured, he thundered out excommunications againſt the *Colonneſi*, declaring them Heretiques and Schiſmatiques, and excommunicating whoſoever afforded them aſſiſtance, counſell or favour, or gave them entertainment, and deprived alſo the Cardinall of his red Hat. This Cardinall being in *Naples*, not eſteeming the Popes cenſures, publiſhed an appeale to the Councell, propoſing not only the injuſtice and nullity of the monitories, cenſures and ſentences; but alſo the neceſſities of the Church univerſall, which being manifeſtly ruinated, could not be eaſied any other way, then by calling of a lawfull Councell, which might reforme it in the head and in the members. In concluſion he cited *Clement* to the Councell, which the Emperour would aſſemble in *Spira*.

The palace and S. *Peters* Church are ſacked.

A truce concluded.

The Popes Bull againſt the *Colonneſi*.

The Cardinal appealeth to the Councell.

95 Of this Appeale, or Citation, or *Manifeſt*, there were copies hanged by night, by thoſe of the faction of the houſe of *Colonna*, upon the doores of the principall Churches in *Rome*, and in divers other places, and ſpread over *Italy*. This put *Clement* in a great paſſion, who mightily abhorred the very name of a Councell; not ſo much fearing the moderating of the Popes authority, and of the profit of the Court, as for his owne proper reſpects. For though *Leo* his kinſman, when he made him Cardinall, cauſed proofe to be made, that there was promiſe of marriage betweene his mother and his father *Julianus*, yet the untruth of the proofes was notorious: and though there be no law which prohibiteth baſtards to aſcend to the Papacie, yet the vulgar opinion is, that the Papall dignity is not compatible with ſuch a quality. He doubted exceedingly, that unto ſuch a pretence, though vaine, ſtrength might be given by his enemies, being upheld by the power of the Emperour. But he was more afraid, becauſe, being conſcious by what arts hee mounted to the Popedome, and how Cardinall *Colonna* had a way to prove it, conſidering the ſevere Bull of *Julius* the 2. which maketh a nullity in a Simoniacall election, and forbiddeth that it ſhould be made good by any ſubſequent conſent, he greatly doubted that it would happen unto him as it did unto *Baltaſſar Coſſa*, called *John* the 23. But I have not been able to learn what was the negotiation of the Councell of *Spira*, having not found any mention thereof, but in the foreſaid *Manifeſt*, and in *Paulus Jovius* in the life of the forenamed Cardinall. In the height of theſe tumults the yeere ended, with publique expectation, and feare where the tempeſt would fall.

The Pope feareth a Councell in regard of his illegitimation, and Simony.

No Subſequent conſent can make good a Simoniacall election of the Pope.

96 For

96 For the next yeere 1527. the negotiations of a Councell were buried in silence; according to the use of humane affaires, that in the time of warre, provision for lawes hath no place. Yet there succeeded notable accidents, necessary to be related, for the understanding of those things which hapned afterwards, in the matter which we handle. For the Vice-roy of *Naples*, pretending that the Pope, by proceeding against the *Colonnesi*, had broken the truce, incited by the Cardinall, and others of that family, put his souldiers into their journey towards *Rome*: And on the other side also *Charles* of *Borbon*, generall of the Emperours army in *Lombardie*, not having wherewith to pay his Souldiers, fearing they would mutin, or at least, runne away, being desirous by all meanes to keep them together, sent them towards the Ecclesiasticall State; whereunto also he was mightily incited, by *George Fransperg*, a German captaine; who having conducted into *Italy* betweene thirteene and foureteene thousand Souldiers of *Germany*, almost all Lutherans, with no other pay, but of one crown a piece of his owne goods, and promise to lead them to *Rome*, he shewed the great opportunity they had to get spoyles, and to make themselves rich, in a City where all the gold of Europe may be found.

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The Vice-roy of *Naples* marcheth towards *Rome*, pretending the breach of the truce.

Charles of *Borbon* marcheth towards *Rome*.

George Fransperg is Generall of 13000 Almans.

97 In the end of January *Borbon* passed the *Po* with all his troupes, and directed his journey towards *Romania*: which march troubled *Clement* exceedingly, considering the quality of the men, and the continuall threats of *Fransperg*, who caused a halter to be carried neere his Colours, saying, that with that he would hang the Pope, the better to encourage his men to stand united, and to support the journey though they were not paid: All which things induced the Pope to give eare to *Cæsar Fieramosca*, a Neapolitan, who came newly from *Spaine*, and brought a long letter from *Cæsar*, full of offers. And, assuring his Holines, that his Majesty disliked the invasion of *Rome*, made by the *Colonnesi*, and that he was desirous of peace, he induced him to hearken to the truce, which should be negotiated between him, & the Viceroy of *Naples*. And although in March, Captaine *George Fransperg* was taken with a fit of an Apoplexie, which caused his death, yet because the army was entred into the Ecclesiasticall State, and still marched forward, the Pope in the end of the moneth, resolved to come to an accord, though he saw it would bee to his great indignity, and would give suspition to his confederates, and perhaps aliene them from defending him. Therefore the suspension of armes for eight moneths was established, the Pope paying 60000. crownes, absolving those of the house of *Colonna* from the censures, and restoring to the Cardinal his dignity; whereunto he condescended exceeding hardly. But howsoever the truce was concluded with the Vice-roy of *Naples*, the money disbursed, and the *Colonnesi* restored, yet this was not accepted by the Duke of *Borbon*; who following on his journey, the 5. of May, lodged neere *Rome*, & assailed it the next day on the Vatican side. Where, though the Popes Souldiers, and the youth of *Rome*, especially of the Guelfish faction, opposed themselves valiantly in the beginning, and *Borbon* were slaine by a Musket-shot, notwithstanding the army entred, and those that defended the Town, fled into the Suburbs. The Pope, as in sudden accidents, full of feare saved himselfe, with some of the Cardinals, in the Castle: and although he was counselled not

He carieth with him an halter to hang the Pope.

Fransperg dieth.

An accord is made.

Rome taken by the army of *Borbon* after his death, and sacked.

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not to tarry, but to paſſe immediately into *Rome*, and from thence, to go to ſome ſecure place, yet, refuſing this good counſell, hee reſolved to remaine there. The Citie, now without a head, was full of confuſion, ſo that none uſed the remedy which then was fit, that is, to break downe the Bridges, which go over the river *Tiber*, from the Suburbs to the Citie, and to defend themſelves; which if it had been done, the Romans would have had time, at the leaſt, to retire all men of account, and goods of value, into a ſecure place. But this not being done, the Souldiers paſſed into the Citie, ſpoyled not onely the houſes, but the Churches alſo of all their ornaments, caſting on the ground, and treading under feet the reliques, and other ſacred things which were not of value, putting the Cardinals and other Prelates in priſon, making a mock of their perſons, by ſetting them on vile beaſts in the Pontificall habit. It is certaine, that the Cardinals of *Siena*, *Minerva*, and *Ponceta* were well beaten, and carried moſt baſely in proceſſion, and that the Spaniſh and German Cardinals, though they were confident, becauſe the army was compoſed of their nations, were not better uſed then the reſt. The Pope, retired into the Caſtle of Saint *Angelo*, was beſieged, and conſtrained to make an accord, at the ſame time yeelding the Caſtle to the Emperours Captains, and conſigning his perſon priſoner therein: where he was kept very cloſe. And being in exceeding great affliction for the things paſt, there was added one more, in his opinion, much greater, that the Cardinall of *Cortona*, who governed *Florence* in his name, having heard the newes, retired himſelfe from the City, and left it free. The which having ſuddenly chaſed out the *Medici*, and regained their liberty, reformed their government, and the greater part of the Citizens ſhewed ſuch hatred towards the Pope, and his family, that they defaced their armes, even in their private places, and diſgraced, with many blowes, the images of *Leo* and *Clement*, which were in the Church of the *Nunciata*.

The Cardinals impriſoned & mocked, and ſome of them beaten.

The Pope yeeldeth the Caſtle and his perſon.

Florence becommeth free againe.

The images of *Leo* the 10. & of *Clement* the 7. are defaced

98 But the Emperour having received advice of the ſacking of *Rome*, and of the impriſonment of the Pope, gave many ſignes of infinite griefe, and made demonſtration thereof by cauſing the ſolemne feaſts to ceaſe, which were made in *Validolid*, for the birth of his ſonne, the one and twentieth of the ſame moneth. By which appearances he would have given teſtimony to the world, of his piety and religion, if he had commanded at the ſame time that the perſon of the Pope ſhould be ſet at liberty. But the world, that ſaw the Pope was priſoner ſix moneths more, perceived what difference there was betweene truth and appearance.

The Emperor maketh a ſhew of griefe for the Popes calamity.

99 They began immediatly to treat of the Popes delivery. The Emperour would have had him conducted into *Spaine*, deeming (as was true indeed) that it would have beene a great reputation to him, if in two yeeres there had been brought out of *Italy* into *Spaine*, two ſo great priſoners, a French King, and a Pope of *Rome*. But becauſe all *Spaine*, and eſpecially the Prelates, deteſted to behold ſo great an ignominy of Chriſtianity, that he ſhould be brought priſoner thither who repreſented the perſon of CHRIST, hee changed that opinion, conſidering alſo it was not good to ſtirre up too much envie againſt himſelfe, nor to provoke the King of England, whom he feared much, in caſe he ſhould have joyned himſelfe more neerely with the French King,

And is diſſwaded from cauſing him to be brought into *Spaine*.

King, then he was by the peace publiſhed in Auguſt; who had already ſent a potent army into *Italy*, and atchieved divers victories in *Lombardy*. Wherefore in the end of the yeere, the Emperour granted that the Pope ſhould bee ſet free with this condition, that he ſhould not be againſt him in the affaires of *Milan* and *Naples*, and, for ſecurity thereof, ſhould give into his hands, *Oſtia*, *Civita vecchia*, *Civita Caſtellana*, and the Cittadell of *Furli*, and for hoſtages, his two Nephews, *Hippolitus* and *Alexander*, that he ſhould grant him a *Cruſado* in *Spaine*, and a tenth of the Church revenues in all his kingdomes. The delivery being concluded, and having received power to depart out of the Caſtle the ninth of December, he durſt not expect ſo long, but went out the night before, with a ſmall convoy, in the habit of a Merchant, and retired himſelfe immediately to *Monte Fiaſcone*, and after he had tarried there a little, from thence he paſſed to *Orvieto*.

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The Pope is ſet at liberty upon hard conditions.

100 While the Princes were all buſied in war, the affaires of religion altered in divers places; in ſome, by publike Decree of the Magiſtrates; in others, by popular ſedition. For *Berne*, making a ſolmne aſſembly, both of their own Doctors, and of Strangers, and hearing a diſputation many dayes, received the doctrine conformable to *Zuric*; and in *Baſil* all the images were ruined and burnt, by a popular ſedition, and the Magiſtrate deprived, and others put in his place, and the new religion eſtabliſhed. And on the other ſide, eight Cantons aſſembled themſelves together, and ratified within their territories the doctrine of the Church of *Rome*, and wrote a long exhortation to thoſe of *Berne*, perſwading them not to change their Religion, which belonged not to one people, or one Countrey, but onely to a Councell of the whole world. But for all that, the example of *Berne* was followed at *Geneva*, *Conſtance*, and other places thereabout; and in *Argentina*, after a publike diſputation, the Maſſe was prohibited by a publike Decree, untill the defenders of it could ſhew that it was a worſhip acceptable to God, notwithſtanding that the Chamber of *Spira* had made a great and a long remonſtrance, that it was not lawfull, not onely for one City, but not for all the States of the Empire, to make innovation of rites and doctrine, it belonging onely to a generall or nationall Councell.

The ſtate of religion in the Cantons of the Suiſſes & other places.

101 In *Italy*, theſe two yeares there being neither Pope nor Court of *Rome*, and it ſeeming, that theſe calamites were an execution of Gods judgement againſt that government, many men began to reforme, and in private houſes in divers Cities, eſpecially in *Faenza*, a Towne belonging to the Pope, there was preaching againſt the Church of *Rome*, and the number of thoſe, whom others called Lutherans, and themſelves Goſpellers, increaſed every day.

1528
The reformed religion increaſeth in *Italy*.

102 The yeare following 1528, the French army was far advanced within the Kingdome of *Naples*, and had poſſeſſed it almoſt all; which conſtrained the Emperours Captaines to conduct the army out of *Rome*, much diminiſhed, partly by reaſon of thoſe, who, laden with ſpoyles, meant to put them in a ſecure place, and partly becauſe of the plague, which cauſed great mortality among them. The confederates inſtantly deſired the Pope, that *Rome* being ſet at liberty by neceſſity, not by the deſire of the Emperour, having no more need to temporize with him, he would in that

The French-men being entred into the kingdome of *Naples*, cauſe the Spaniſh army to forſake *Rome*.

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that occaſion declare himſelfe to be joyned with them, and proceed againſt him with ſpirituall armes, and deprive him of the Kingdome of *Naples*, and of the Empire. But the Pope, as well for that he was wearied with troubles, as alſo, becauſe in caſe the confederates had gained the better, they would have maintained the liberty of *Florence*, the government whereof he more deſired to recover, then to be revenged of the injuries received from *Charles*, hee made a firme reſolution not to bee contrary, yea to joyne himſelfe with him upon the firſt occaſion, to regaine *Florence*: the which he was aſſured that, if the French King and the *Venetians* had been conquerours in *Italy*, they would have maintained in liberty. Yet keeping this within his breaſt for the preſent, he excuſed himſelfe that, by reaſon of his poverty, and want of power, it would rather be a burthen then an eaſe to the confederats, and that the deprivation of the Emperour would cauſe *Germany* to be ſuſpicious, that he would pretend to have authority to create the Emperour. And thinking that his confederates perceived what he aimed at, as he was Excellent in covering his deſignes, he made all demonſtration that he had laid aſide all thought of Temporall things. He let the *Florentines* underſtand many moneths together, that he was moſt unwilling to meddle in their government, onely deſiring that they would acknowledge him as Pope, and not more then other Chriſtian Princes did: that they would not perſecute his family in their private affaires; that they would be contented that their armes ſhould ſtand within the buildings of his predeceſſors. He ſpak of nothing but of reforming the Church, and reducing the *Lutherans*. That he was reſolved to paſſe into *Germany* in perſon, and to give ſuch an example that all ſhould be converted. And theſe were the ſpeeches he uſed all this yeere: ſo that many beleeved for certaine, that thoſe afflictions which God had laid upon him for his amendment, had procured their due fruit. But that which followed in the yeeres after, made the godly beleeve, that they were as ſeed ſowen upon a rock, or by the way ſide; and the wiſe, that they were a bait to bring the *Florentines* alleep.

The Pope refuſeth to joyn with the confederates, for the more eaſie recovery of *Florence*.

The Pope maketh ſhew to have laid aſide all care of temporall things.

1529 The treaties of the Councell begin againe.

103 The nextyeare 1529. a peace being negotiated between the Emperor, and the French King, and the heat of warre abated, the treaties of a Councell began againe. For *Francis Guignones*, Cardinall of *Santa Croce*, having brought out of *Spaine*, from the Emperour to the Pope, the releaſe of *Oſtia*, *Civitta Vecchia*, and other Townes belonging to the Church, conſigned to the Emperours miniſters for ſecurity of the Popes promiſes, together with large offers; *Clement*, conſidering the treaty of peace, which was negotiated with the French King, and how much his owne intereſt required, that he ſhould be firmely joyned with *Charles*, he ſent unto him, unto *Barcellona*, *Jerolamo* Biſhop of *Vaſone*, maſter of his houſe, to treat the articles of accord betweene them: which were eaſily concluded, for that the Pope promiſed the inveſtiture of *Naples*, for the tribute of a white horſe onely, the patronage of the 24 Churches, paſſage for his men, and the imperial Crown. On the other, the Emperour promiſed to reſtore into *Florence* the Popes Nephew, the ſonne of *Lorenzo*, and to give him to wife *Margarite* his baſtard daughter, and to aſſiſt him in the recovery of *Cervia*, *Ravenna*, *Modena*, and *Rheggio*, taken from him by the *Venetians*, and the Duke of *Ferrara*. They agreed

The cautionary townes are reſtored to the Pope.

A peace is concluded betweene the Pope and the Emperour, with diverſe conditions.

agreed alſo to receive one another at the Coronation, with the accuſtomed ceremonies. Onely one point was long diſputed: For the Popes Miniſters propoſed, that *Charles* and *Ferdinand* ſhould be bound to conſtraine the Lutherans, by force of armes, to returne to the obedience of the Church of *Rome*; and thoſe that were for the Emperour required, that to reduce them the better, the Pope ſhould call a generall Councell. After long diſcuſſion of this point, not to cut off ſo many other important deſignes, on which they were agreed, it was reſolved to ſtand in this article in generall termes, and concluded, that, to reduce the Lutherans to the union of the Church, the Pope ſhould uſe ſpirituall meanes, and *Charles* and *Ferdinand* temporall; who alſo ſhould make warre againſt them if they remained obſtinate: and in that caſe the Pope ſhould provide that the other Chriſtian Princes ſhould aſſiſt them. 1529 CLEMENT 7 CHARLES 5 HENRY 8. FRANCIS 1.

A point much diſputed betweene the Pope and the Emperour.

104 In this ſort the confederation was concluded, with much joy of *Clement*, and marvell of the world, how, having loſt all his ſtate and reputation, he ſhould returne to the ſame greatneſſe in ſo ſhort a time. In *Italy*, which ſaw an accident ſo full of variety, or rather contrariety, it was eſteemed a divine miracle, and by thoſe that loved the Court, it was aſcribed to a demonſtration of the favour of God towards the Church.

Clement ſuddenly recovereth all his greatneſſe.

105 But in *Germany* a Diet being intimated in *Spira*, which began the 15. of March, the Pope ſent thither *John Thomas* of *Mirandula*, to exhort them to the warre againſt the Turk, promiſing to contribute himſelfe alſo as much as his forces, exhauſted by the calamities of the yeares paſt, would allow him to do, and to give aſſurance that he would uſe all induſtry to accord the differences betweene the Emperour and the French King; that all things being pacified, and all impediments taken away, he might apply himſelfe, as ſoone as it was poſſible, to the calling and celebration of a Councell, to re-eſtabliſh Religion in *Germany*.

He ſendeth to the Diet of *Spira*.

106 In the Diet they firſt treated of Religion: And the Catholiques thought to put diſſention betweene their adverſaries, divided into two opinions, ſome following the doctrine of *Luther*, and ſome of *Zuinglius*, if the Landgrave of *Haſſia*, a man wiſe and provident, had not withſtood the danger; ſhewing that the difference was not great, and giving hope that it might eaſily be accorded, and declaring the dammage that would ariſe by the diviſion, and the advantage which their adverſaries would have gained. After long diſputation in the Diet, to finde out a forme of compoſition, in the end a Decree was made, that, the Decree of the former Diet of *Spira*, being wreſted by the bad interpretations to defend all abſurdity of opinions, and therefore being now conſtrained to expound it, they ordained, That whoſoever had obſerved the Emperours Edict of *Wormes*, ſhould obſerve it ſtill, compelling alſo the people thereunto untill the time of the Councel, which the Emperour gave aſſured hope ſhould be called ſhortly: and he that had changed doctrine, and could not be reduced without danger of ſedition, ſhould abide there, and innovate nothing more untill the Councell began: that the Maſſe ſhould not be taken away, nor hindred in any place where the new doctrine was received; that Anabaptiſme ſhould be puniſhed capitally, according to the Edict publiſhed by the Emperor, which they ratified; and

The Landgrave of *Haſſia* preventeth the diviſion which the Romane Catholiques, would have made amongſt the Reformatiſts.

The decree of the Diet of *Spira*.

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and that concerning the Sermons and Prints, the Decrees made in the two laſt Diets of *Noremberg* ſhould be obſerved; that is, that the Preachers be circumſpect, take heed of giving offenſive words, and give not occaſion to the people to riſe againſt the Magiſtrate, that they propoſe no new opinions which have no foundation in the holy Scripture, but preach the Goſpel according to the interpretation approved by the Church, without touching other things that be diſputable, expecting the determination of the Councel, where all ſhall be lawfully decided.

Is oppoſed.

107 The Elector of *Saxony*, and five Princes more, oppoſed themſelves to this Decree, ſaying, that they ought not to forſake the Decree made in the former Diet, by which every one might exerciſe his own religion untill the Councell; which Decree being made by the common conſent of all, could not without the ſame conſent, be changed. That the originall cauſe of the diſſentions was very cleerly perceived in the Diet of *Noremberg*, and the ſame Pope, unto whom the demands were ſent, and the hundred grievances expounded, confeſſed it; yet for all this, no amendment was ſeene. That, in all the conſultations it was ever concluded, that there was no way more convenient to remove the controverſies then by a Councell. In the meane ſpace, while this is expected, to receive their Decree, were to deny the pure and undefiled word of God; and to allow the Maſſe, were to renew the diſorders. They ſaid they commended that part, that is, to preach the Goſpel according to the interpretations approved by the Church, but that there remained a doubt which was the true Church. That to eſtabliſh a Decree ſo obſcure, was to lay open a way to many tumults and controverſies, and therefore would not by any meanes give conſent unto it. That they would give account to all men, and even unto *Cæſar* himſelfe, of this their opinion. And that untill the beginning of the Councell, either generall of all Chriſtendome, or Nationall of *Germany*, they will do nothing that may juſtly be reproved.

How the name of Proteſtants began.

108 To this declaration foureteene principall Cities of *Germany* adhered, and from hence came the name of Proteſtants, by which they are called who follow the doctrine renewed by *Luther*. For theſe Princes and Cities gave out their proteſtation and appeale, from that Decree unto *Cæſar*, and to a future Generall Councell, or Nationall of *Germany*, and to all judges not ſuſpected.

The difference in opinion betweene *Luther* and *Zuinglius*.

109 And becauſe mention is made of the difference in opinion betweene *Luther* & *Zuinglius*, in matter of the Sacrament, it is fit to ſhew here, how the renovation of doctrine being begun in two places, by two perſons independent the one of the other, that is, by *Luther* in *Saxony*, and *Zuinglius* in *Zuric*, they conſented in all the heads of doctrine, untill the yeere 1525. and then in the explication of the myſtery of the moſt holy Sacrament of the Euchariſt, though they both agreed, in ſaying that the body and blood of our Lord Jeſus Chriſt are in the Sacrament onely in uſe, received with the heart and faith, yet *Luther* taught that the words of our Lord (*This is my body*) ought to be received in a naked and plain ſence; and, on the contrary, *Zuinglius* taught that the words were figuratively, ſpiritually, and Sacramentally, and not carnally to be underſtood. And the contention alwayes increaſed, and became

came every day more bitter, especially on *Martins* side, who treated after a sharp manner against the adverse party. And this gave matter to the Catholikes in this yeeres Diet of *Spira*, to be able (as hath beene said) to put distrust and distast betweene the parties. But the *Landgrave* of *Hassia*, who, having discovered the cunning of the adversaries, kept his side in peace, with hope to reconcile the contrary opinions, as well to maintaine his promise, as to withstand future dangers, procured a conference, sollicited the *Suisses* to send their men, and assigned *Marpurg* for the place of the disputation, and all the moneth of October of the same yeere 1529. There came out of *Saxony*, *Luther* and his two schollers, & out of *Suisserland*, *Zuinglius* and *Ecolampadius*. Only *Luther* and *Zuinglius* disputed, and the disputation continued many dayes, yet for all this it was impossible for them to agree; whether it were, because the controversie being passed on so farre, it seemed that the honour of the Authors was in question, or because, as it happeneth in verball contentions, the smalnesse of the difference, nourisheth the obstinacie of the parties: or because, as a little after *Martin* wrote to a friend, seeing much tumult raised, he would not by *Zuinglius* his forme of words, which the Romanists so much abhorred, make his Princes more odious, and expose them to greater danger. But be the cause what it will, one more universall is very true, that it pleased the Majesty of God to use this difference of opinions, for divers effects, which followed after. It was necessary to end the colloquie without conclusion, but that, by the meanes of the *Landgrave* they agreed in this, that being of accord in all other points, they ought hereafter to abstaine from bitternesse in this particular, praying God to shew some light of agreement. Which conclusion, though resolved on with wisdome, and, as they said, with charity, being not followed by their successours, hindred very much the progresse of the reformed Doctrine. For in cause of religion, every sub-division is a strong weapon in the hand of the contrary part.

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The conference of *Marpurg*.

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Luther and *Zuinglius* could not agree.

But the league betweene the Pope and Emperour being concluded, as hath beene said, and the order set downe for the Coronation, the Citie of *Bolonia* was appointed for the place. For it seemed not convenient to the Pope that this solemnity should bee performed in *Rome*, in the presence of those who had sacked it but two yeeres before. This was acceptable also to *Charles*, because it made the ceremonies more short: which he desired, that he might passe into *Germany* so soone as might be. Therefore the Pope, as the greater person, arrived first in *Bolonia*, and afterwards the Emperour the fifth of November, where he taried foure moneths, and remained in the same pallace with the Pope. Many things were treated of by these two Princes, partly for the universall quiet of Christendome, and partly for the private interest of the one and the other. The principall were, the generall peace of *Italy*, and the extirpation of the Protestants in *Germany*. To speak of the first, belongeth not to the subject that is handled: but concerning the Protestants, it was proposed by one of the Emperours Counsellors, that, considering the nature of Germans, who are tenacious of liberty, it were better by faire meanes and sweet representations, & by dissembling the knowledge of many things, to cause the Princes to returne to the obedience of the Pope. For this protection being taken from the new Doctors, the residue would easily be

The Pope and Emperour met at *Bolonia* about the coronation, but treated of divers other matters.

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remedied. And to do this, a Councell was the true and proper remedy: as well becauſe it was deſired by them, as becauſe every one would bow at that majeſticall and venerable name.

But the Pope, who feared nothing more then a Councell, eſpecially if it were to bee celebrated beyond the mountaines, free, and in the preſence of thoſe, who already had openly ſhaken off the yoke of obedience, ſaw very well what an eaſie thing it was for theſe to perſwade the others alſo. Hee conſidered further, that although the cauſe was common to him with all other Biſhops, whom the new opinions ſought to deprive of the wealth they poſſeſſed, yet there remained ſome matter of diſtaſte, betweene them and the Court of *Rome*. For they pretended that collation of Benefices, with the reſervations and preventions, was uſurped from them, and a great part of their authority taken away, and drawn to *Rome*, by calling of cauſes thither, by reſervations of diſpenſations, & abſolutions, and ſuch like faculties, which formerly being common to all Biſhops, the Popes of *Rome* had appropriated to themſelves. Whereupon it was repreſented unto him, that the celebration of a Councell would be a totall diminution of the Popes authority.

And the Pope did infinitely diſſwade the Emperour from deſiring a Councell.

Therefore he turned all his thoughts to perſwade the Emperor, that a Councell was not good to pacifie the ſtirres of *Germany*, but pernicious for the Imperiall authority in thoſe Provinces. He put him in mind of two ſorts of perſons, the multitude, and the Princes and Grandies: that it was probable that the multitude was deceived, but to give it ſatisfaction in the demand of a Councell, was not to give it more light, but to bring in popular licence. If it were granted unto them to make queſtion, or ſeeke greater perſpicuity in religion, they would immediately pretend alſo to give lawes for gouvernement, and to reſtraine the authority of Princes by Decrees: and when they have obtained to examine and diſcuſſe the Eccleſiaſticall authority, they will learne alſo to trouble the temporall. He ſhewed him that it was more eaſie to oppoſe the firſt demands of a multitude, then after they had beene gratified in part, to preſcribe them a meaſure. For the Princes and Grandies, he might aſſure himſelfe; that their end was not piety, but the making themſelves Lords of the Eccleſiaſticall goods; and being become abſolute, to acknowledge the Emperour nothing at all, or very little; and that many of them kept themſelves unſpotted with that contagion, becauſe they have not, as yet, diſcovered the ſecret, which being made manifeſt, they will all addreſſe themſelves to the ſame ſcope. That there was no doubt but that the Papacie would loſe much in the loſſe of *Germany*; but the loſſe of the Emperour, and of the houſe of Auſtria would be farre greater. Againſt which, if hee would make proviſion, he had no other meanes, then ſeverely to imploy his authority and power, while the greater part obeyed him: wherein expedition was neceſſary, before the number increaſed, and the profit were diſcovered by all, which is reaped by following thoſe opinions. That unto expedition, ſo neceſſary, nothing is more contrary then to treat of a Councell. For though every one incline himſelfe to it, and no impediment bee interpoſed, yet it cannot be aſſembled but in length of yeeres, nor the cauſes handled without prolixity: which thing onely he would conſider. For it were infinite to ſpeak of impediments which would be raiſed for divers intereſts

reſts of perſons, who would oppoſe themſelves with divers pretences, at the leaſt putting in delayes, that it may come to nothing. That there was a fame ſpread, that the Popes will have no Councell, for feare their authority ſhould be reſtained, a reaſon, which maketh no impreſſion at all in him, having his authority immediately from Chriſt, with promiſe, that the gates of hell ſhall not prevaile againſt it. And the experience of former times hath ſhewed, that the Papall authority hath never beene diminiſhed in any Councell, but according to the words of our Lord, the Fathers have ever confeſſed it to bee abſolute and unlimited, as it is in deed. And when the Popes in humility, or for ſome other reſpect, have forborne to uſe it intirely, the Fathers have made him to put it wholly in execution. And this is cleerely to be ſeen by him that ſhall read the things that are paſt. For the Popes have alwayes imployed this meanes againſt the new opinions of heretiques, and in every other neceſſity, with increaſe of their authority. And ſetting aſide the promiſe of CHRIST, which is the true and onely foundation, and conſidering the things but temporally: the Councell conſiſteth of Biſhops; unto Biſhops the Papall greatneſſe is profitable, becauſe they are by that protected againſt Prince and people. Kings and other Soveraignes alſo who have underſtood, and will underſtand well the rules of governing, will alwayes favour the Apoſtolicall authority, having no other meanes to repreſſe and keep in order their Prelates, when they have the ſpirit to goe beyond their degree. The Pope concluded, that in his mind hee was ſo aſſured of the iſſue, that hee could ſpeak thereof as a Prophet; and affirme, that, by calling a Councell, greater diſorders would enſue in *Germany*. For thoſe that deſire it, pretend to continue untill then in what they have begun; when their opinions ſhall be condemned, and nothing elſe can ſucceed, they will take another cloak to detract from the Councell: and in concluſion the Emperours authority in *Germany* will come to nothing, and in other places will be ſhaken; the Popes power will be diminiſhed in that Countrey, and in all the reſidue of the world, will be increaſed the more. And therefore the Emperour ſhould beleeve his opinion, the rather becauſe he was not moved by his proper intereſt, but with a deſire to ſee *Germany* reunited to the Church, and himſelfe obeyed. That nothing would take good effect, if he went not preſently into *Germany*, and immediately uſed his authority, intimating that the ſentence of *Leo*, and the Edict of *Wormes* ſhould be executed without any reply, not giving eare to any thing the Proteſtants could ſay, either demanding a Councell, or more inſtruction, or alleaging their appeale or proteſtation, or any other excuſe, becauſe they are all but pretences of impiety. That hee ſhould uſe force againſt the firſt incounter of diſobedience, which would be eaſie for him to do againſt a few, having all the Eccleſiaſticall Princes, and the greater part of the Seculars, who, to this end, would take armes with him. That this and no other thing is congruous to the office of the Emperour, Advocate of the Church of *Rome*, and to the oath taken in *Aquiſgran*, and which hee ought to take in receiving the Crowne from his hand. Laſtly, that it was a cleere caſe, that holding of a Councell, or any other treaty or negotiation in this occaſion, would neceſſarily end with warre. Therefore it was

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The Pope perſwadeth the Emperor to execute the ſentence of *Leo*, and the Edict of *Wormes*.

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better to make triall of compoſing theſe diſorders, by the ſtrength of authority, and with abſolute command, which would eaſily take good effect, and in caſe it ſhould not, rather to proceed to force of armes, then let the reines looſe to popular licence, to the ambition of the Grandies, and perverſeneſſe of the arch-heretiques.

Who condeſcendeth thereunto.

Theſe reaſons, unſeemely in the mouth of Friar *Julius de Medici*, Cavalier of *Malta*, (for ſo the Pope was called before he was created Cardinall) much more of Pope *Clement* the 7. did notwithſtanding prevaile with *Charles*, being ſeconded by the perſwaſions of *Mercurius de Gattinara*, the Emperours Chancellour and Cardinal, (unto whom the Pope made many promiſes, and particularly, that in the firſt promotion of Cardinals, which hee then prepared to make, he would have regard to his kindred and dependants) and by the Emperours proper inclination to have more abſolute authority in *Germany*, then was granted to his grandfather, or his fathers grandfather.

1530 The Emperor is crowned in *Bolonia*,

In *Bolonia* all the ſolemne acts and ceremonies of the coronation were performed, which was finiſhed the 14. of February; and *Cæſar* being reſolved to go perſonally into *Germany*, to give an end to thoſe diſorders, he intimated an imperiall Diet for the 8. of Aprill, and in March he began his journey.

And reſolveth to employ his authority in matter of religion.

The Emperour parted from *Bolonia* with this firme reſolution, to labour in the Diet, with authority and command, that the Princes ſeparated one from another, ſhould returne to the obedience of the Church of *Rome*; and to prohibite Sermons and books of the reformed doctrine. And the Pope gave him for company the Cardinall *Campeggio*, as Legat, who ſhould follow him to the Diet. He ſent alſo *Peter Paul Vergerius* Nuncio to King *Ferdinand*, with inſtruction, to labour with him that there ſhould be no diſputation in the Diet, nor conſultation concerning Religion, nor any reſolution taken to call a Councell in *Germany* to that purpoſe; and to gaine the favour of that Prince, (who being the Emperours brother, and having ſpent many yeeres in *Germany*, he thought was able to do much) he ſhould grant him power to take a contribution of the Clergie of *Germany*, for the warre againſt the Turks, and to make uſe of the gold and ſilver appointed for ornament of the Churches.

Campeggio the Legat goeth with him, and *Peter Paul Vergerius* to *Ferdinand*.

The Diet of *Auſburg*. The Proteſtants refuſe to go in proceſſion.

Almoſt all the Princes arrived at the Diet before *Cæſar*, who came thither the thirteenth of June, the eve of *Corpus Chriſti* day, and went in proceſſion the day following; but was not able to obtaine that the Proteſtants would content themſelves to be there. Which the Legat perceiving, with infinite diſpleaſure, for the prejudice done to the Pope by this contumacie, as hee termed it, to go a ſtep further, and to cauſe the Proteſtants to aſſiſt at the Ceremonies of the Church of *Rome*, was a meanes that the Emperour eight dayes after, being to begin the aſſembly, gave order to the Elector of *Saxony* to carry the ſword before him, as he went thither, according to his office, and to ſtand at the Maſſe. The Elector thought that by yeelding hee ſhould contradict his profeſſion, and by refuſing ſhould loſe his dignity; having found out, that in caſe of his deniall, the Emperour would give the honour to another. But he was counſelled by his Divines, *Luthers* Schollers, that he might do it without offence to his conſcience, aſſiſting as at a civill, not as at a religious Ceremony: by the example of the Prophet *Elizeus*,

The Duke of *Saxony* carrieth the ſword, after a long diſputation whether hee might ſafely aſſiſt at the Maſſe.

lizeus, who thought it not inconvenient that the captaine of the troupes of *Syria*, converted to the true Religion, ſhould bow himſelfe to the Temple of the Idol, when the King bowed, who leaned on his arme. This counſell was not approved by others, becauſe by it one might conclude that every one might lawfully be preſent at all the Rites of another Religion, as at civill Ceremonies; for no man could want a cauſe of neceſſity, or utility, which might induce thereunto. But others approving the counſell, and the purpoſe of the Elector, concluded, that if the new doctors had formerly uſed this reaſon, and would uſe it hereafter, a gate had not beene opened in many occaſions to divers inconveniences, becauſe it would be lawfull to every one by that example, for preſervation of his dignity, or his territory, or the favour of his Lord, or other eminent perſon, not to refuſe to give aſſiſtance to any action whatſoever; at which, though others were preſent as at a religious act, he aſſiſted as at a civill thing. 1531 CLEMENT 7 CHARLES 5 HENRY 8. FRANCIS 1.

In that Maſſe, *Vicenzo Pimpinello* Archbiſhop of *Roſano* the Popes Nuncio, made an Oration in Latine before the Offertorie; in which he ſpake not a word of any ſpirituall or religious matter, but upbraided *Germany* for having ſuffered ſo many wrongs by the Turks without revenge; and exhorted them, by many examples of ancient Captaines of the Romane Commonwealth, to make warre againſt them. He ſaid, the diſadvantage of *Germany* was, that the Turk obeyed one Prince onely, whereas in *Germany* many obeyed not at all: that the Turks live in one religion, and the *Germans* every day invent new, and mock the old, as if it were become mouldy. He taxed them, that being deſirous to change the faith, they had not found out one more holy at the leaſt, and more wiſe. Finally hee exhorted them, that imitating *Scipio Naſica*, *Cato*, the people of *Rome*, and their anceſtors, they ſhould obſerve the Catholike Religion, forſake thoſe novities, and apply themſelves to the warre. The Sermon of *Vicenzo Pimpinello* the Popes Nuncio

In the firſt Seſſion of the Diet, the Legat, Cardinall *Campeggio*, preſented the letters of his Legation, and in the aſſembly, in the preſence of the Emperour, made an Oration in Latine, the ſubſtance wherof was, that the cauſe of ſo many Sects, which then reigned, was want of charity and love, that the change of doctrine and rites, had not onely rent the Church in pieces, but brought all policy to a miſerable deſolation. For remedying of which miſchiefe, the former Popes having ſent Legats to the Diets, and no fruit comming thereby, *Clement* had ſent him to exhort, to counſell, and to imploy all his indevours to reſtore the true doctrine. And having commended the Emperour, he exhorted all to obey whatſoever he ſhall ordaine and reſolve upon concerning Religion, and Articles of beliefe. Hee perſwaded them to make warre againſt the Turks, promiſing that the Pope would ſpare no coſt to aſſiſt them. He prayed them, for the love of CHRIST, for their Countreys, and their owne ſafety, that, laying aſide all errours, they would apply themſelves to ſet *Germany*, and all Chriſtendome at liberty. That in ſo doing, the Pope, ſucceſſor of S. *Peter*, gave them his benediction. The Legat preſenteth his letters, and maketh an oration.

The Arch-biſhop of *Mentz* anſwered the Legats Oration, by order of the Emperour and the Diet, that *Cæſar*, as ſupreme Advocate of the Church, will uſe all meanes to compoſe the diſorders, will imploy all his forces in And is anſwered by the Arch-biſhop of *Mentz*.

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the warre againſt the Turks, and that all the Princes will joyne themſelves with him, in ſuch ſort, that their actions ſhall be approved by God and the Pope. After this, many Ambaſſages being heard, the Elector of *Saxony*, with the other Princes and Proteſtant Cities joyned with him, preſented to the Emperour the confeſſion of their faith, written in Latine and Dutch, inſtantly deſiring it might be read. But the Emperour refuſing to have it read in publique, it was put off untill the next day, when the Legat would not bee preſent for feare of receiving ſome prejudice. But the Princes being aſſembled before the Emperour in an Hall, capable to receive about 200. perſons, it was read with a loud voyce. And the Cities, which followed the doctrine of *Zuinglius*, preſented apart the confeſſion of their faith, not differing from the former, but onely in the point of the *Euchariſt*.

The Lutherans doe preſent a confeſſion of their faith.

And ſo do the *Zuinglians*.

The name of the Auguſtan confeſsion began here.

The confeſſion of the Princes, which afterwards from this place, where it was read, was called *Auguſtana*, conteined two parts: in the firſt were expounded 21. articles of their Creed: of the unity of the God-head, of originall ſinne, of the incarnation, of juſtification, of the miniſtery of the Goſpel, of the Church, of adminiſtring the Sacraments, of Baptiſme, of the *Euchariſt*, of Confeſſion, of Penance, of the uſe of the Sacraments, and the Eccleſiaſticall order, of the rites of the Church, of the Civill Common-wealth, of the laſt judgement, of free-will, of the cauſe of ſinne, of faith, of good works, and worſhipping of Saints. In the ſecond were expounded the doctrines which were different from the Church of *Rome*, and the abuſes which the Confeſſioniſts reproved. And theſe were declared at large in ſeven articles; of the holy Communion, mariage of Prieſts, of the Maſſe, of Confeſſion, of the diſtinction of meats, of Monaſticall vowes, and Eccleſiaſticall juriſdicton. In concluſion they offered, in caſe it were needfull, a more full information. But in the proeme thereof they delivered, that they had put their confeſſion in writing to obey the Propoſe of his Majeſty, that all men ought to preſent their opinions; and therefore if the other Princes will give up theirs in writing, they are ready to conferre peaceably with them, that they may come to an agreement; whereunto in caſe they could not come, his Majeſty having given them to underſtand in all the former Diets, that he could not determine or conclude any matter of Religion for divers reſpects then alleadged, but that he would perſwade the Pope to call a generall Councell, and finally having cauſed it to be ſaid in the Diet of *Spira*, that the differences betweene his Majeſty and the Pope being ready to bee compoſed, there could be no doubt but that he would give conſent unto it, they offered to appeare, and to give a reaſon, and make a defence of their cauſe in ſuch a generall, free, and Chriſtian aſſembly, of which it hath alwayes beene treated, in all the Diets celebrated during the time of his Empire. Unto which Councell, and to his Majeſty, they have formerly in due forme, and upon good cauſe appealed; unto which appeale they do yet adhere, not intending to abandon it, neither by this treaty, nor by any other, if the difference be not charitably reduced firſt to a Chriſtian concord.

The Legat would not cenſure the Confeſsion.

This was the onely Act of the firſt day. But the Emperour, before hee made any reſolution, would have the Legats advice. Who, having read and conſidered the confeſſion, together with the Divines which he brought

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out of *Italy*, though hee was of opinion that it ought to be oppoſed, and a cenſure publiſhed under his name; yet, foreſeeing that it would give occaſion of greater tumults, and ſaying plainely that the difference for the moſt part ſeemed verball, and that it imported not much whether one ſpake after one manner or after another, and that it was not reaſonable that the Apoſtolicall Sea ſhould take part in the diſputations of the Schooles, he conſented not to have his name uſed in the contentions. And hee anſwered the Emperour, that for the preſent, there was no cauſe to make any ſtrict examination of the doctrine, but to conſider the example which would bee given to all unquiet and ſubtile wits, who would not have wanted infinite other novities to propoſe, with no leſſe probability, which would have beene heard with greedineſſe, becauſe of the itching of eares which they ſtirre up in the world; and that by correcting the abuſes that were noted, greater inconveniences would be raiſed, then thoſe which one ſought to remedy. That his opinion was, that the doctrine of the Lutherans being read, to remove all prejudice, a confutation therof ſhould be read likewiſe, which ſhould not be publiſhed in copies, for feare of opening a way to diſputations, but means ſhould be uſed, that the Proteſtants ſhould abſtaine from going further on, by propoſing favours and threats. But the Confeſſion being read, it wrought divers effects in the minds of the Catholikes who heard it. Some thought the Proteſtants more wicked, then they were perſwaded, before they were informed of their particular opinions: others on the contrary, remitted much of the bad conceit they had againſt them, eſteeming their opinions not ſo abſurd as before they did, yea, for a great part of the abuſes, they confeſſed they were juſtly reprehended. It is not to be omitted that Cardinal *Mattheo Langi*, Archbiſhop of *Salzburg*, told every one, that the reformation of the Maſſe was honeſt, the liberty of meats convenient, and the demand juſt, to bee disburthened of ſo many commandements of men, but that a poore Monk ſhould reforme all, was not to be endured. And *Cornelius Scoperus*, the Emperours Secretary, ſaid, that if the Proteſtant Preachers had money, they would eaſily buy of the Italians what Religion pleaſed them beſt, but without gold, it was impoſſible to make theirs ſhine in the world.

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But gave order that a confutation therof ſhould bee read, and no copie given.

The Arch-biſhop of *Salzburg* would not have the world reformed by a Monk.

The Emperour, according to the Legats advice, approved alſo by his own Councellors, deſirous to compoſe all by a negative, went firſt about to ſeparate the Ambaſſadors of the cities from joyning with the Princes: which project not ſucceeding, he cauſed a confutation to be made of what the Proteſtants put up in writing, and another of that which was produced by the Cities. And having called the whole Diet together, hee told the Proteſtants that he had conſidered of the confeſſion preſented unto him, and given order to ſome pious and learned men, to deliver their opinion thereof. And here he made the confutation of it to be read, in which, many of their opinions being taxed, it was confeſſed in the end, that in the Church of *Rome*, there were ſome things fit to be amended, againſt which he promiſed that proviſion ſhould be made; and therefore that the Proteſtants ought to referre themſelves unto him, and returne to the Church, aſſuring them to obtaine all their juſt demands, but in caſe they did otherwiſe, hee would not faile to ſhew himſelfe protector and defender of it.

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The Proteſtant Princes offered to performe whatſoever could bee done with a ſafe conſcience, and if out of the holy Scripture, any errour in their doctrine were ſhewed, to correct it, or to make a further declaration, in caſe it were neceſſary. And becauſe ſome of the points propoſed by them, were granted in the confutation, and ſome rejected, if a copie of the confutations were given them, they ſhould be expounded more cleerely.

A Colloquie between the Proteſtants & Catholikes.

After many treaties, ſeven Catholikes, and ſeven Proteſtants were choſen to conferre together, to finde out a meanes of compoſition: who, not being able to agree, the number was reſtrained to three apiece. And though ſome few ſmall points of doctrine, and other petty things, belonging to ſome rites, were agreed on, yet in concluſion, it was perceived, that the conference could produce no concord at all, becauſe neither party was willing to grant to the other any thing of importance. Many dayes being ſpent in this treaty, the refutation of the Cities confeſſion was read: whereunto their Ambaſſadors anſwered, that many Articles of their writing were repeated otherwiſe then they were written by them, & many other things propoſed by them drawn to a bad ſenſe, to make them odious: unto all which objections they would have anſwered, if a copie of the confutation had beene given them: in the meane time, they prayed them not to beleeve any calumnie, but to expect their defence. They denied to give them a copie, and ſaid, that the Emperour would not ſuffer, that the points of Religion ſhould be put into diſputation.

The anſwer of the Proteſtant Ambaſſadors to the confutation.

The Emperour aſſaied by way of canvaſe to perſwade the Princes, telling them, that they were but few, their doctrine new, that it had been ſufficiently confuted in this Diet, that their boldneſſe was great, to condemne of errour, hereſie, and falſe religion, the Imperiall Majeſty, and ſo many Princes and States of *Germany*, with whom, themſelves being compared, made not a number; and which is worſe, to eſteeme alſo for heretikes their owne fathers and anceſtours, and to demand a Councell, and yet to go on ſtill in the errours. Theſe perſwaſions availing nothing, becauſe they denied theirs to be new, and the rites of the Romane Church old, the Emperour imploying other remedies, unto which he was adviſed by the Legat *Campeggio*, cauſed every one to be treated with apart, propoſing unto them ſome ſatisfaction in their proper intereſts, and laying before them divers oppoſitions and croſſes, which hee would have raiſed againſt their proceedings, in caſe they perſiſted in their reſolution, not to reunite themſelves to the Church. But whether thoſe thought to bring about their owne deſignes by perſevering, or preferred the preſervation of their Religion, before all other intereſt, the perſwaſions, though very potent, produced none effect. Neither could the Emperour obtaine of them, to grant the exerciſe of the Romane religion within their territories, untill the time of the Councell, which he promiſed ſhould be intimated within ſix moneths, becauſe the Proteſtants had diſcovered that this was the invention of the Popes Legat, who not being able to obtaine his purpoſe for the preſent, thought it ſufficient, if by the eſtabliſhing the Romane doctrine in every place, he put confuſion among the people, who were alienated already, whereby a way might bee opened to thoſe accidents which might give occaſion to root out the new.

new. For concerning the promiſe, to intimate a Councell within ſix moneths, he well knew that many impediments might be pretended in the very nick, and finally all expectation deluded. 1530 CLEMENT 7 CHARLES 5

It being impoſſible to conclude any thing, the Proteſtants departed in the end of October, and the Emperour made an Edict, to eſtabliſh the ancient rites of the Roman Catholike religion; which contained in ſumme, that nothing ſhould be changed in the Maſſe, in the Sacrament of Confirmation, and extreme unction, that the Images ſhould not be taken out of any place, and thoſe reſtored that were taken away already, that it ſhould not be lawfull to deny free-will, nor to hold opinion, that onely faith doth juſtifie, that the Sacraments, Ceremonies, Rites, Obſequies of the dead, ſhould bee obſerved in the ſame manner they were before, that Benefices ſhould bee given to fit perſons, and that the married Prieſts ſhould forſake their wives, or be baniſhed, all ſales of Church goods and other uſurpations made voyd, that in preaching and teaching, no man ſhould paſſe theſe termes, but the people ſhould be exhorted to heare Maſſe, to invocate the Virgin *Mary*, and the other Saints, to obſerve the feaſts and faſtings, that the Monaſteries, and other ſacred Edifices, which have beene deſtroyed, ſhould be rebuilt, and the Pope ſhould be requeſted to intimate a Councell within ſix moneths, in a convenient place, and after to begin it within a yeere at the moſt, that all things remaine firme and conſtant, and no appeale or exception to the contrary take place, and that every one ought to imploy all his forces, poſſeſſions, life, and blood, to preſerve this Decree, and that the Imperiall Chamber proceed againſt whoſoever ſhall oppoſe it. HENRY 8. FRANCIS 1. The Edict of *Ausburg*.

The Pope having received advice from his Legat, of what was done in the Diet, was touched with an inward griefe of minde, diſcovering, that though *Charles* had received his counſell, by uſing his authority, and threatning violence, yet he had not proceeded as advocate of the Church of *Rome*, unto whom it belongeth not to take knowledge of the cauſe, but to bee a meere executor of the Popes Decrees: whereunto was quite contrary, to have received the confeſſions, and cauſed them to be read, and to have inſtituted a conference to accord the differences. Hee complained beyond meaſure, that ſome points were agreed unto, and eſpecially that he had conſented to the abolition of ſome rites; thinking that the Popes authority was violated, when things of ſo great moment were treated of without his privity: at the leaſt if his Legates authority had beene interpoſed, it had beene tollerable. After, he conſidered that it was a great prejudice to him, that the Prelates had conſented to it. But the promiſing of a Councell, which he ſo much abhorred, preſſed him above all: in which, though honourable mention were made of his authority, yet to ſubſcribe ſix moneths to call it, and a yeere to begin it, was to meddle with that which was proper to the Pope, and to make the Emperor the principall, and the Pope his miniſter. By the obſervation of theſe beginnings, he concluded, that there was little hope in the affaires of *Germany*, and that hee was to thinke of a defenſive, that the diſeaſe might not paſſe to other parts of the body of the Church. And becauſe that which was paſt could not be undone, hee thought it not wiſdome

The Pope was diſpleaſed with the Emperour for medling in religion, but eſpecially for promiſing a Councell.

1531 wiſdome to ſhew it was done againſt his will, but to make himſelfe the author of it, that he might receive a leſſe blow in his reputation.

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Therefore hee gave an account of the things paſt to all Kings and Princes diſpatching his letters the firſt of December, all of the ſame tenour, that he hoped the Lutheran hereſie might be extinguiſhed by the preſence of the Emperor, and though principally for that cauſe he went to *Bolonia* to intreat him for it, that he knew that of himſelfe he was very well affected that way. But having received advice from the Emperour, and from his Legat *Campeggio*, that the Proteſtants are become more obſtinate, hee hath communicated the whole to the Cardinals, and together with them, ſeeth cleerely, that there remaineth no other remedy, but that which hath beene uſed by his Predeceſſors, that is, a generall Councell. Therefore he exhorteth them to aſſiſt in the Councell that ſhall be called, either in perſon, or by their Ambaſſadours; a thing ſo holy, that hee is reſolved to put it in execution, ſo ſoone as it is poſſible, intimating a generall and free Councell, in ſome fit place in *Italy*. The Popes letters were known to the whole world, becauſe his miniſters endevoured in every place to give notice of them unto all: not becauſe the Pope or the Court deſired to apply their minds to a Councell, from which they were moſt averſe, but to entertaine the world, that by expectation of the remedy of the abuſes and inconveniencies, they might remaine conſtant in obedience. Yet few were deceived; for it was not hard to diſcover, that to deſire Princes to ſend Ambaſſadours to a Councell, wherof neither time, nor place, nor manner was reſolved on, was too much affected prevention.

He writeth to all Princes that he would call a Councell, though he never meant it.

And his colluſion is diſcovered by many.

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But the Proteſtants alſo tooke occaſion by theſe letters to write likewiſe to the Kings and Princes: and the next yeere in February they framed a letter to every one under a common name of all, of this tenour. That the old complaint of pious men againſt the vices of the Clergie, noted by *John Gerſon*, *Nicolas Clemangis*, and others in *France*, & of *John Collet* in *England* and of others elſewhere, was known unto their Majeſties, which alſo happened in *Germany* in theſe laſt yeers, by occaſion of the deteſtable and infamous gaine which ſome Friars made by publiſhing Indulgences. And paſſing from this to relate whatſoever happened untill the laſt Diet, they ſaid that their adverſaries endevoured to incite the Emperor and other Kings againſt them, uſing divers calumnies; which as they have withſtood in *Germany*, ſo they will more eaſily confute in a generall Councell of the whole world; wherunto they will referre themſelves, ſo that it may be ſuch a one, in which prejudices and paſſion may take no place. That amongſt the Calumnies laid upon them, this is the principall, that they condemne all Magiſtrates, and vilifie the dignity of Lawes: which is not onely not true, but, as they have ſhewed in the Diet of *Auguſta*, their doctrine honoureth Magiſtrates, and defendeth the ſtrength of Lawes, more then ever hath beene done in other ages, teaching Magiſtrates that their ſtate and kinde of life is moſt acceptable to God, and preaching to the people that they are bound, by Gods commandement to give honour and obedience to them, and that he will not leave unpuniſhed the diſobedient, becauſe the Magiſtrate hath his governement by divine ordination. That they have deſired to ſignifie theſe things

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to them, Kings, and Princes, for cleering of themselves before them, praying them not to beleeve the calumnies, and to suspend their judgements, untill those that are accused have place to acquit themselves publiquely. And therfore they will desire the Emperour that hee would call a godly and free Councell in *Germany*, as soone as might be, and not to use force, untill the matter be disputed, and lawfully defined. 1531 CLEMENT 7 CHARLES 5 HENRY 8. FRANCIS 1.

The French King answered with very courteous letters, in substance, giving them thanks for communicating unto him a busines of so great weight: he shewed them that he was glad to understand of their innocency, and did approve the instance they made, that the vices might be amended, wherein they shall finde his will to concurre with theirs: that their requiring of a Councell was just and holy, yea, necessary, not onely for the affaires of *Germany*, but of the whole Church: that it was not honest to use Armes, where the controversies may bee ended with treaties. The letters of the King of *England* were of the same Tenour, but that hee declared in particular, that himselfe also desired a Councell, and that he would mediate with *Charles*, to finde out a meanes of composition. The answer of the French King to the Protestants. The answer of the King of *England*.

The Emperours Decree being knowne throughout all *Germany*, they began immediatly to accuse the professors of the new Religion, in the chamber of *Spira*, some for zeale, others for revenge, and some also to possesse the goods of their adversaries. Many sentences were made, many declarations, and many confiscations against Princes, Cities, and private men; and none took place, but some against private men, whose goods were within the territories of Catholiques. By others the sentences were contemned, with great diminution of the honour, not onely of the Chamber, but of the Emperour also; who soone perceived that the remedy was not fitted to the malady, which increased daily. For the Protestant Princes and Cities (besides that they esteemed little the judgements of the Chamber) combined themselves together, prepared for their defence, and fortified themselves with forraine intelligences: so that it appeared, that in case things went on, a Warre would arise, dangerous for both parties, and whatsoever the issue was, pernicious for *Germany*. Wherefore he was willing that some Princes should interpose, and finde out a way of agreement. To this end many heads and conditions of composition were negotiated all this yeere 1531. and to give them some conclusion, a Diet at *Ratisbon* was appointed for the next yeere. Sentences were made in the chamber of *Spira*, against the Protestants, and contemned.

In the meane space, all things remained full of suspicions, and the diffidences betweene the one part and the other, rather increased. And this yeere also, there happened a notable event among the Suisses, which composed the disputes betweene them. For though the controversie in religion, between *Zuric*, *Berne*, and *Basil* one the one side, and the Popish Cantons on the other, was often composed by the mediation of divers; yet at that time the hatred was so great between them, and new causes of distasts arising daily, the contentions were often renewed. And this yeere they were greatest of all, those of *Zuric* and *Berne* attempting to hinder the victualing of five Cantons, which caused both parties to arme. With those of *Zuric*, *Zuinglius* took armes, though his friends perswaded him to to remaine at home, and leave *Zuinglius* taketh armes, and is slaine.

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leave that charge to others. Whereunto he would by no meanes yeeld, that he might not ſeeme to incourage the people in the Church onely, and forſake them in time of danger. The eleventh of October they came to a ſet battell, in which, thoſe of *Zuric* had the worſt, and *Zuinglius* was ſlaine; for which the Catholikes more rejoyced, then for the victory. They did divers diſgraces to the corps, and the death of that man was the chiefeſt cauſe of a new compoſition betweene them, both the parties retaining their owne religion. The five Catholike Cantons aſſured themſelves, that he being removed, who, by his Sermons changed religion in the Country, all would returne to the old. In which hope, they were confirmed the more, becauſe *Ecolampadius*, a miniſter in *Baſil*, of the ſame opinion with *Zuinglius*, dyed within a few daies after with griefe, for the loſſe of his friend, the Catholikes attributing the death both of the one and the other, to the providence of God, who, compaſſionating the Helvetians, had puniſhed and taken away the Authors of their diſcord. Surely it is a pious and religious thought, to attribute the diſpoſition of every event, to the providence of God: but to determine to what end thoſe events are directed, by that high Wiſdom, is not farre from preſumption. Men are ſo ſtraightly and religiouſly wedded to their owne opinions, that they are perſwaded that God loveth and favoureth them, as much as themſelves. But the things that happened afterwards, ſhewed that the Cantons called Goſpellers, made greater progreſſe in the doctrine received, after the death of theſe two: a manifeſt Argument, that it came from a higher cauſe then the labours of *Zuinglius*.

Wnoſe death cauſed a compoſition betweene the Cantons.

And maketh *Ecolampadius* die with grief.

1532 An agreement betweene the Proteſtants and the others, was negotiated in *Germany*, by the Electors of *Ments* and the Palatine, and many writings were made and changed, becauſe they gave not full ſatisfaction to either of the parties. This made the Emperour reſolve, that a Councell was exceeding neceſſary; and having imparted his opinion to the French King, he ſent one to *Rome* by poſt, to treat thereof with the Pope and Colledge of Cardinals. The Emperour made none account of the place preſcribed, nor of any other ſpecial condition, in caſe *Germany* were ſo ſatisfied that the Proteſtants would be preſent, and ſubmit themſelves; which ſatisfaction the King alſo thought to be juſt, and offered to joyne with him. The Ambaſſage was delivered to the Pope in theſe termes, that the Emperor having uſed all means to reunite the Proteſtants to the Church, by imploying authority, threats, treaties, and juſtice alſo, nothing now remaining, but either warre, or a Councell, in regard he could not take armes, by reaſon of the Turkes preparations againſt him, he was conſtrained to take the other reſolution, and therefore did beſeech his Holineſſe, that, imitating his Predeceſſours, he would bee content to grant a Councell, whereunto the Proteſtants would ſubmit themſelves without difficulty, having offered divers times to ſtand to the determination of one that is free, in which the Judges might be men without partiality. The Pope, who by no meanes would have a Councell, hearing the requeſt, and not being able to give a plaine negative, made a grant, but ſo as that hee knew it would not be accepted. For the place hee propoſed one of the Cities of the Churches State, naming *Bolonia*, *Parma*, *Piacenza*, Cities capable to receive and feed a multitude, healthfull, with a large territory round

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An agreement betweene the Proteſtants and the Catholikes was negotiated, but could not be effected.

The Emperor doth ſeriouſly negotiate a Councell.

The Pope conſenteth to the Councell upon ſuch a condition as hee knew would not be accepted.

round about: whither the Proteſtants ought not to make difficulty to go, 1532
becauſe they ſhould be heard: unto whom he would give a full and ample CLEMENT 7
ſafe conduct, and himſelfe would be there in perſon, that every thing might CHARLES 5
bee handled with Chriſtian peace, and no man wronged. That hee could HENRY 8.
by no meanes conſent to celebrate it in *Germany*, becauſe *Italy* would not FRANCIS 1.
endure to be neglected, and *Spaine* and *France*, who in Eccleſiaſticall matters yeeld unto *Italy*, for the prerogative of the Papacie, which is proper unto it, would not give place unto *Germany*, and the authority of that Councell would bee little eſteemed, where onely Dutch-men were preſent, and ſome few of another nation. For undoubtedly the Italians, French-men, and Spaniards would not bee induced to go thither. The medicine is not in the power of the ſick, but of the Phyſician. Therefore *Germany* corrupted with the multiplicity and variety of opinions, could not give right judgement in this ſubject, as *Italy*, *France*, and *Spaine*, which are uncorrupted as yet, and wholly perſevere in ſubjection to the Apoſtolicall Sea, which is mother and miſtris of all Chriſtians. For the manner of defining things in the Councell, the Pope ſaid there needed no words, becauſe no difficulty could ariſe therein, except they would make a new forme of a Councell, never uſed in the Church. That it was manifeſt, that none had voice in a Councell, by right of the Canon, but Biſhops, and Abbats by cuſtome, and ſome others by the Popes priviledge: the others that deſire to bee heard, ought to ſubmit themſelves to the determination of theſe; every Decree being made in the name of the Synod, if the Pope bee not preſent in perſon: but when he is there, every Decree paſſeth under his name, onely with the approbation of the Fathers of the Synod. The Cardinals likewiſe ſpake in the ſame key, but alwayes interpoſed ſome reaſon, to ſhew that a Councell was not neceſſary, ſo long as the determination of *Leo* ſtood in force, which being executed, all would be remedied; and he that will not referre himſelfe to the determination of the Pope, eſpecially accompanied with the counſell of the Cardinals, will much more deſpiſe all Conciliarie Decrees. That it was manifeſt that the Proteſtants call not a Councell, but onely to gaine time, and to hinder the execution of the Edict of *Wormes*. For they well know that the Councell cannot chooſe but approve that which *Leo* hath determined, except they would be a conventicle, or unlawfull aſſembly, as all thoſe be, who have ſeparated themſelves from the doctrine and obedience of the Pope.

The Cardinals will not receive that a Councell is neceſſary.

The Emperours Ambaſſadour, to finde out a meane, had many audiences with the Pope, and with two Cardinals, deputed by him over this matter. He put him in minde, that neither he, nor *France*, nor *Spaine*, had need of a Councell, nor did deſire it; and that therefore it was to no purpoſe to have reſpect unto them: that it was ſought for, to cure the diſeaſes of *Germany*, unto which, becauſe it ought to be proportionated, it was fit to chuſe a place, where all that Nation might be preſent. That, for other Countreys, the principall ſubjects were ſufficient, becauſe nothing was to be handled concerning them; that the Cities propoſed, were in all reſpects exceeding fit, but only that they were farre diſtant from *Germany*; and though the ſafe conduct of his Holineſſe ought to ſecure every one, yet the Proteſtants were

The Emperors Ambaſſadour laboureth to perſwade the Pope to chuſe a place in *Germany* for the Councell, but cannot obtain it.

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ſuſpicious, for divers reaſons, both old, and new, amongſt which, they eſteemed not the leaſt, that *Leo* the tenth, his couſin, had condemned them already, and declared them heretikes. And although all their reaſons are reſolved with this onely, that every one ought to rely upon the Faith of the Pope, yet his Holineſſe, by his great wiſdome and experience, might know that it was neceſſary to yeeld to the imperfection of others, and for pitie, to accommodate himſelfe to that, which though in rigour is not due, yet in equitie is convenient. And concerning the deliberative voyces of the Councell, he diſcourſed, that they being brought in, partly by cuſtome, and partly by priviledge, a large field was opened unto him, to exerciſe his benignity, by introducing another cuſtome, more fit for the preſent times. For if the Abbats were formerly admitted by cuſtome, becauſe they were more learned and intelligent in religion, it is reaſon to grant the ſame now, to perſons of equall or greater learning, though they have not the title of Abbats. But the priviledge miniſtreth matter to give ſatisfaction unto all. For by granting the ſame priviledge to every one that is able to do God ſervice in that congregation, there will bee a Councell exactly pious and Chriſtian, ſuch as the world deſireth. Unto theſe reaſons anſwer being made, with the motives before named, the Emperour could obtaine nothing of the Pope; whereby the buſineſſe remained unperfect for that time, and the Emperour applied himſelfe to ſollicite the treaty of peace already begun: which being brought to a good concluſion, and the Turkiſh warre drawing neere, at the laſt a compoſition was publiſhed the three and twentieth of July, that there ſhould be common and publike peace betweene the Emperours Majeſty, and all the States of the Empire of *Germany*, as well Eccleſiaſticall as ſecular, untill a generall, free, and Chriſtian Councell, and in the meane ſpace, that none ſhould make warre againſt another for cauſe of religion, nor take ſpoyle, or beſiege him, but that there ſhould be true amity, and Chriſtian unity amongſt all. That the Emperour ſhould procure the intimation of the Councell, within ſix moneths, and the beginning within a yeere; which if it be not poſſible, all the States of the Empire ſhould bee called together, to reſolve of what is fit to be done, as well for the Councell as for other neceſſary things. That the Emperour ſhould ſuſpend all the judiciall proceſſes, in cauſe of religion, made by his Fiſcall, or others, againſt the Elector of *Saxony*, and his adherents, untill the future Councell, or the forenamed reſolution of the States.

Who ought to have voices in Councell.

A peace of religion concluded in *Germany*, July 23. called the *Interim*.

On the other ſide, the Elector of *Saxony*, and the other Princes and Cities, ſhould promiſe faithfully to obſerve this publike peace, to give due obedience to the Emperour, and convenient ayde againſt the Turk. This peace the Emperour ratified, and confirmed by his letters, dated the ſecond of Auguſt, and ſuſpended alſo all proceſſes, promiſing to do his endevour for the calling of a Councell within ſix moneths, and for the beginning of it within a yeere. Hee gave alſo an account to the Catholike Princes, of the ambaſſage ſent to *Rome*, for that end, adding that ſome difficulties of weight could not as yet be accorded, concerning the manner and place. But he would continue his indevours that they ſhould be reſolved and that the Pope ſhould grant the convocation, hoping that he would not be wanting

The Emperor promiſeth the calling of a Councell within ſix moneths

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ting to the neceſſity of the Common-wealth, and his owne duty: but in caſe this ſucceeded not, hee would intimate another Diet to finde a remedy herein. 1512 CLEMENT 7 CHARLES 5 HENRY 8. FRANCIS 1.

This was the firſt liberty of Religion, which thoſe that adhered to *Luthers* confeſſion, called the Auguſtan, obteined by publike decree: whereof the world talked diverſly. At *Rome* the Emperour was reprehended, for putting his ſickle (as they ſaid) into another mans harveſt, every Prince being obliged, by the ſtricteſt bonds of cenſures, to the extirpation of thoſe that are condemned by the Pope; wherein they ought to ſpend their goods, ſtate, and life: and the Emperours much more, becauſe they do ſo ſolemnly ſweare unto it. This not being performed by *Charles*, an example not heard of, there was cauſe to feare a ſudden revenge from heaven. But others commended the piety and wiſdome of the Emperour, who laboured more to prevent the danger, imminent to Chriſtendom, by the armes of the Turk, a direct oppoſer of Religion; againſt whom hee could not have made reſiſtance without ſecuring the Proteſtants, who are Chriſtians too, though diſſenting from others, in ſome particular rites, which is a tolerable difference. That the *Maxime*, ſo renowned in *Rome*, that it is more meet to perſecute heretiks, then infidels, was well fitted to the Popes dominion, but not to the benefit of Chriſtendome. Some alſo, not regarding the Turks, ſaid that Kingdomes and Principalities, ought not to be governed by the lawes and intereſts of Prieſts, who are more partiall, for their owne greatneſſe and profits, then any other, but according to the exigence of the publike good, which requireth now and then, the tolerating of ſome defect. That it was the duty of every Chriſtian Prince, to indevour equally, that his Subjects maintaine the true faith, as alſo that they obſerve all the Commandements of God, and not this, more then that. But when a vice cannot be rooted out, without the ruine of the State, it is acceptable to the Majeſty of God to permit it: neither is the obligation greater to puniſh heretiks, then fornicators; who if they bee tolerated, for publike quiet, it is no greater inconvenience, if thoſe be permitted, who defend not all our opinions. And though it be not eaſie to alleadge examples of Princes, which have done this within theſe 800. yeeres, yet hee that will conſider the times before, will ſee it done by all, and laudably too, when neceſſity hath required. If *Charles* having attempted to compoſe by all meanes the differences in Religion, hath not beene able to bring any thing to paſſe, who can reprehend him, if, to try what can be done by a Councell, he hath eſtabiſhed peace in the meane time in *Germany*, that he may not ſee her ruine? None knoweth how to governe a territory, but the Prince himſelfe, who alone knoweth all the neceſſities of it. He will overthrow his State, whoſoever will governe with reſpect unto the intereſts of others; and it would be to as much purpoſe to governe *Germany* as the Romanes deſire, as to governe *Rome* as the Dutchmen pleaſe.

The firſt liberty of the Auguſtan confeſſion.

No man that ſhall read this occurrence, ought to marvell, if theſe and many more diſcourſes did run in the minds of men, it being a thing which did inwardly touch them. For the caſe was, whether every Chriſtian Countrey ought to be governed, according to its owne neceſſity and profit, or

The Romaniſts would have every country governed according to their intereſts.

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was a ſlave of one onely Citie, to maintaine the commodities whereof, all others ſhould ſpend themſelves, and become deſolate. The times following have taught, and will teach perpetually, that the Emperours reſolution was conformable to the lawes of God and man. The Pope, who was more troubled herein then all others, as one who was moſt intelligent in State affaires, ſaw very well that he had no reaſon to complaine; but he concluded herewithall, that his intereſts could not concurre with thoſe of the Emperour, and therefore his mind was wholly aliened from him.

The Pope is aliened again from the Emperour.

The Turk being chaſed out of *Auſtria*, the Emperor paſſed into *Italy*, & had conference with the Pope in *Bolonia*, where they treated of all the common affaires: and though the league was renewed betweene them, yet the Pope was not fully ſatisfied, both for the liberty of Religion granted in *Germany*, as hath been ſaid, and becauſe they agreed not concerning the Councell. The Emperor perſevered in demanding ſuch a Councell, as might cure the maladies of *Germany*, (in conformity to his Ambaſſadors propoſition the yeere before) which was impoſſible if the Proteſtants had no part therein. The Pope continued in his reſolution, not to admit of a Councell by any means, but in caſe of neceſſity, and which ſhould not be celebrated out of *Italy*, and wherin none ſhould have a deliberative voice but thoſe unto whom the Popes lawes did allow it. The Emperour would have condeſcended to the Popes will, if there had beene meanes to give the Proteſtants contentment, wherein that he might give his Holineſſe certaine information, he propoſed unto him that he ſhould ſend a Nuncio into *Germany*, and himſelfe an Ambaſſadour, to finde out a forme and temper for theſe difficulties, promiſing that his Ambaſſadour ſhould govern himſelfe as the Nuncio would. The Pope accepted the match, though he were fully ſatisfied of the Emperour, aſſuring himſelfe, that in caſe the negotiation, of both thoſe miniſters had taken none effect, *Charles* would have gone about to have given *Germany* ſatisfaction; and from that time *Clement* reſolved to make a ſtraight alliance with *France*, to be able, by that means, to hinder whatſoever the Emperour ſhould propoſe.

The league is renewed betweene them, but ſuſpicions remain in the Popes minde.

The Pope and Emperour reſolve to ſend a Nuncio and an Ambaſſador into *Germany*.

The Pope reſolveth to make an alliance with *France*, to be able to withſtand the Emperour.

1533 The Pope after Eaſter 1533. ſent *Hugo Rangone*, Biſhop of *Rheggio*, to execute the propoſition accepted by him: who comming with the Emperors Ambaſſador to *John Frederic*, Elector of *Saxony*, (who had ſucceeded his deceaſed father a few moneths before) as chiefe of the Proteſtants, declared his commiſſion; that *Clement* from the beginning of his Papacie had alwayes an extraordinary deſire to compoſe the differences in Religion, ſprung up in *Germany*, and for that end had ſent thither many learned perſons; and though their paines took not effect, the Pope notwithſtanding had hope; that at the Emperours going thither after his coronation, all would be brought to perfection. But having not obteined the end he deſired, the Emperour returned into *Italy*, & ſhewed him that there was no fitter means then a generall Councell, which the Princes of *Germany* deſired alſo. With which the Pope being well pleaſed, as well for the publique good, as to give the Emperour contentment had ſent him, to agree with them, concerning the manner of the future Councell, and of the time and place. And for the forme and order thereof, the Pope propoſed ſome neceſſary conditions.

The firſt, that it ſhould be free, and generall, as the Fathers were wont

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to celebrate it in former times. Then, that thoſe that demand a Councell, ſhould promiſe and give aſſurance to receive the decrees that ſhall be made. For otherwiſe it would be labour in vaine, it being to no purpoſe to make lawes, which would not be obſerved. Thirdly, that he that could not bee preſent ſhould ſend Ambaſſadors to make promiſe, and put in caution. After this, that it was neceſſary, that in the meane while, all things remained as they are, and that no innovation were made before the Councell. The Nuncio added, that for the place the Pope had not long, frequent, and great conſideration. For it was neceſſary to provide one that ſhould bee fertill to afford victuals to ſo famous a concourſe, and of an healthfull ayre too, that the progreſſe may not be hindered by ſickneſſe. And in concluſion *Piacenza*, *Bolonia*, or *Mantua* ſeemed unto him very commodious, leaving it to the choice of *Germany* to elect which of theſe places they would. But he added that if any Prince would not come, or not ſend Ambaſſadors, it would be juſt for all the others to defend the Church. In the end he concluded, that if *Germany* would give a fit anſwer to the propoſitions, the Pope would immediately treat with [illegible]er Kings, and would intimate the Councell within ſix moneths, t[illegible]gh a yeere after, that proviſion of victuals might be made, and that all [illegible]pecially the fartheſt diſtant, might prepare themſelves for the voyage.

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The Conditions of the Councell required by the Pope.

Places for the Councell propoſed by the Nuncio.

The Nuncio gave up his propoſition in writing, and the Emperours Ambaſſador made the ſame negotiation with the Elector; who, having required time to anſwer, the Nuncio was infinitely pleaſed. For hee deſired nothing but delay, and took the anſwer for a preſage of the happy ſucceſſe of the buſineſſe: and he could not refraine to commend him, for not being too haſtie in a deliberation which deſerved time. Yet the Elector anſwered within few dayes, that he was very glad that the Emperour and the Pope were reſolved to call a Councell, where, according to promiſe, oftentimes made unto *Germany*, the controverſies might lawfully be handled, by the rule of the word of God. That himſelfe for his owne part, would willingly make preſent anſwer to the things propoſed; but becauſe there are many Princes, which have received the ſame confeſſion in the Diet of *Ausbug*, it was not fit, nor profitable for the cauſe, to anſwer alone: but an aſſembly being intimated againſt the 24 of June, he deſired he would be contented to grant this ſhort delay, that he might receive a more common, and reſolute concluſion. The joy and hope of the Nuncio was much increaſed, who deſired the delay had been rather of yeeres then moneths. But the Proteſtants, aſſembled at the aforeſaid time in *Smalcalda*, anſwered, thanking the Emperour, that, for the glory of God, and ſafety of the commonwealth, he had taken paines to cauſe a Councell to be celebrated; which would be in vaine, if conditions were not obſerved, neceſſary for the curing of the diſeaſes of *Germany*: which deſireth that her controverſies may be defined with due order: and hopeth to obtaine it, for that the Emperour hath in many imperiall Diets promiſed ſuch a one, which, by the mature deliberation of the Princes and States, hath been reſolved ſhould be celebrated in *Germany*; in regard that many errors being revealed, by occaſion of the Indulgences, publiſhed in Sermons, Pope *Leo* condemned the doctrine

The Emperours Ambaſſadour maketh the ſame negotiation.

The Nuncio is pleaſed with the delatory anſwer.

The Anſwer of the Proteſtants aſſembled in *Smalcalda*.

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and the Doctors, who diſcovered the abuſes. But that ſentence was oppoſed by the teſtimonies of the Prophets and Apoſtles. Whence did ariſe the controverſie, which cannot be decided but in a Councell, where the Popes ſentence, or the power of whoſoever, may not prejudice the cauſe, and where judgement may be given, not according to the Popes lawes, or opinions of the Schooles, but according to the holy Scripture. If this be not performed, this ſo great a labour would be taken in vaine, as may appeare by the examples of ſome other Councels, celebrated before.

And their exceptions againſt the propoſitions of the Pope.

Now the propoſitions of the Pope were contrary to this end, to the petitions of the Diet, and promiſes of the Emperour. For though he propoſe a free Councell in words, yet in effect hee would have it tied, ſo that vices and errors may not bee reprehended, and himſelfe may maintaine his power. That that was not a reaſonable demand that any man ſhould binde himſelfe to obſerve the decrees, before he know by what order, manner, or forme they are made; whether the Pope deſire to have the ſupreme authority in him, and his; whether hee will have the controverſies diſcuſſed according to holy writ, or according to humane lawes and traditions. That that clauſe alſo ſeemed captious, that the Councell ſhould bee made according to the old cuſtome. For it being underſtood of that old, when all was determined by the holy Scriptures, they would not refuſe it. But the Councels of the next preceding age were much different from the other that were more ancient, where too much was attributed to the Decrees of Popes, and other men. That the propoſe was glorious, but it took abſolutely away the liberty which was demanded, and was neceſſary for the cauſe. That they deſired the Emperour to be a meanes that all might paſſe lawfully. That all men were in attention, and ſtood in hope of a Councell, and demanded it with vowes and prayers, which would be turned into great ſorrow and vexation of minde, if this expectation ſhould be deluded, by giving a Councell, but not ſuch a one as is deſired and promiſed. That there is no doubt but that all the States of the Empire, and other Kings and Princes alſo will be of the ſame opinion, to avoid thoſe ſnares and bonds, with which the Pope thinketh to binde them in a new Councell: to whoſe will if the managing of the affaires ſhall be permitted, they will referre the whole to God, and think of what they have to do. Yet for all this if they ſhall be cited, with good and lawfull aſſurance, in caſe they ſee themſelves able to do ſome thing for the ſervice of God, they will not refuſe to appeare; but with condition, not to conſent to the Popes demands, nor to a Councell which is not conformable to the Decrees of the imperiall Diets. In the end they prayed the Emperour not to take their reſolution in ill part, and to endevour that the power of thoſe be not confirmed, who long ſince have waxed cruell againſt the innocent.

The Pope recalleth *Hugo Rangone* B. of *Rheggio*, his Nuncio, and putteth *Vergerius* in his place.

The Proteſtants reſolved, not onely to ſend the anſwer to the Pope, and the Emperour, but to print it alſo, together with the Nuncio his propoſition, which by the ſame Pope was judged indiſcreet, and too open. Therefore under colour that he was old and unable to beare that charge, he recalled him, and wrote to *Vergerius*, Nuncio with King *Ferdinand*, that he ſhould take upon him that place, with the ſame inſtructions, admoniſhing him to remember

member not to ſwerve by any meanes from his will, or to give eare to any moderation, though the King deſire it, that unadviſedly he caſt him not into ſome ſtrait, and conſtraine him to call a Councell, which was not profitable for the Church, or for the Apoſtolicall Sea. 1534 CLEMENT 7 CHARLES 5 HENRY 8. FRANCIS 1.

While theſe things were in handling, the Pope who fore-ſaw the anſwer which would come out of *Germany*, and before in *Bolonia* had conceived but ſmall confidence in the Emperour, wholly aliened himſelfe from his friendſhip. For in the cauſe of *Modena* and *Rheggio*, between his Holineſſe and the Duke of *Ferrara*, referred to him by the parties: he pronounced for the Duke. For all which cauſes, the Pope negotiated a confederation with the French King, the which was concluded, and eſtabliſhed alſo by the mariage of *Henry* the Kings ſecond ſonne, with *Catherine de Medici*, the Popes great grand-child. And to give a compleat perfection of the whole buſineſſe, hee went to *Marſeilles* in perſon, to ſpeak with the King. But underſtanding that this journey was reprehended by all, as not addreſſed to any publike reſpect, but onely to make his houſe great, he juſtified himſelfe, by ſaying he undertook it, to perſwade him to favour the Councell, and to abolith the Lutheran hereſie. And tis true that there, beſide other treaties, he perſwaded his moſt Chriſtian Majeſty, to deale with the Proteſtants, eſpecially, with the Landgrave of *Haſſia*, who was to come to him into *France*, to cauſe them to deiſt from demanding a Councell, propoſing unto them, that they would ſeeke out any other way to accommodate the differences, and promiſing his owne faithfull and effectuall help, when time ſhould ſerve.

The confederation betweene the Pope and the French King, is confirmed by mariage.

The King did thus negotiate, but could obtaine nothing. For the Landgrave alleadged, that there was no other meanes to hinder the deſolation of *Germany*, and that not to ſpeak of a Councell, was willingly to runne into a civill warre. In the ſecond place, the King treated with them, that they would bee contented with a Councell in *Italy*. But neither did the Germans agree unto this; for they ſaid, that this match was worſe then the firſt: becauſe that conſtrained them onely to make warre, but this caſt them into a ſervitude, both of body and ſoule: whereunto reſiſtance could not bee made, but by a Councell, in a free place: yet condeſcending for his Majeſties ſake, to whatſoever they were able, they would ceaſe to demand to have it celebrated in *Germany*, ſo that another free place were appointed out of *Italy*, though it were neere unto it.

The French King treateth with the Landgrave of *Haſſia*, at the Popes requeſt about the Councell.

In the beginning of the yeere 1534. the King gave the Pope an account of what he had done, and offered to bring to paſſe, that the Proteſtants ſhould be contented with *Geneva*. The Pope having received the adviſe, was uncertaine, whether the King, though his confederate and kinſman, would bee glad to ſee him in troubles, or if, in this particular, he wanted that diſcretion which he ſhewed in other affaires: But he concluded, that it was not good to uſe him in this matter. And writing unto him, thanked him for his pains, without anſwering to the particular of *Geneva*: and he incouraged many of the Courtiers, whoſe minds were troubled, aſſuring them, that by no meanes he would conſent to ſuch a folly. 1534

The Pope is diſpleaſed with the Propoſe of *Geneva* for the place of the Councell.

But this yeere the Pope, in ſtead of regaining *Germany*, loſt the obedience of *England*, by proceeding rather with choler and paſſion, then with wiſ-

He loſeth the obedience of *England*.

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dome neceſſary in ſo great negotiations. The accident was of great importance, and greater conſequence, which to declare diſtinctly, it is neceſſary to begin from the firſt cauſes, whence it had its originall.

The cauſe.

Catherine Infanta of *Spaine*, ſiſter to the mother of *Charles* the Emperour, was married to *Henry* the eight, King of *England*, and was before, the wife of *Arthur*, Prince of *Wales*, *Henryes* eldeſt brother; after whoſe death, their father gave her in mariage to *Henry*, who remained ſucceſſor, by the diſpenſation of Pope *Julio* the ſecond. This Queene was with child often, and alwayes either miſcaried, or brought forth a creature of a ſhort life, except one onely daughter. King *Henry*, either for diſpleaſure againſt the Emperor, or for deſire of iſſue male, or for ſome other cauſe, conceived a ſcruple in his minde that the mariage was not good; and taking counſell of his Biſhops, ſeparated himſelfe from her company. The Biſhops treated with the Queen, that ſhe would be contented with a divorce, ſaying that the Popes diſpenſation was neither good nor true. The Queene would not give eare to them, but had recourſe to the Pope: to whom, the King alſo ſent to crave a divorce. The Pope, who was ſtill retired in *Orvieto*, and hoped for good conditions in his affaires, if the favours of *France* and *England*, which ſtill they performed, were continued, by moleſting the Emperour in the Kingdome of *Naples*, ſent into *England* the Cardinall *Campeggio*, delegating the cauſe unto him, and the Cardinall of *Yorke*. From theſe, and from *Rome*, the King had hope given him, that in the end, the ſentence ſhould be on his ſide: Yea, to facilitate the reſolution, that the ſolemnities of the judgement, might not draw the cauſe in length, a briefe was framed, in which he was declared free from that mariage, with the moſt ample clauſes, that ever were put into any Popes Bull, and a Cardinall ſent into *England*, with order to preſent it, after ſome few proofes were paſt, which he was ſure would eaſily be made. And this happened in the yeere 1524. But *Clement*, judging it fitter for compaſſing his deſignes upon *Florence*, as hath beene declared in its proper place, to joyne himſelfe with the Emperour, then to continue in the friendſhip of *France* and *England*, in the yeere 1529. he ſent *Francis Campana* unto *Campeggio*, with order to burne the Briefe, and to proceed ſlowly in the cauſe. *Campeggio* began firſt to draw the cauſe in length, and after, to make difficulty of performing the promiſes made to the King. Whereby being aſſured that the Judge and his adverſaries did collude, he ſent to the Univerſities of *Italy*, *France*, and *Germany*, for a conſultation in his cauſe; where amongſt the Divines, ſome were contrary, and ſome favourable to his pretenſion. The greater part of the Pariſians were on his ſide, and ſome beleeved that the Kings gifts more perſwaded them, then reaſon.

The Cardinals *Campeggio* and *Wolſie* were delegated by the Pope to heare the cauſe of the Kings divorce.

The Pope cauſed his Briefe which he had made in favour of the divorce to be burned.

A conſultation about the cauſe of divorce.

But the Pope, either to gratifie the Emperour, or for feare, that in *England* by meanes of the Cardinall of *Yorke*, ſomething might happen, not according to his minde, as alſo to give occaſion to *Campeggio* to part from thence, called the cauſe to himſelfe. The King impatient of delay, either, becauſe he knew their cunning, or for ſome other cauſe, publiſhed the divorce with his wife, and married *Anne Bullen* in the yeere 1533. yet ſtill the cauſe depended before the Pope; in which, he was reſolved to proceed ſlowly, to

The Pope to gratifie the Emperour, recalleth *Campeggio*.

The King marryeth *Anne Bullen*.

ſatisfie

satisfie the Emperour and not offend the King. Therefore some by-points rather were handled, then the merits of the cause. And the disputation grew upon the Article of the Attentats, in which the Pope gave sentence against the King; declaring, that it was not lawfull for him, by his own authority, without the Ecclesiasticall Judge, to separate himselfe from his wife. For which cause, the King in the beginning of this yeere 1534. denied the Pope obedience, commanding all his subjects, not to carry any money to *Rome*, nor to pay the ordinary Peter-pence. This infinitely troubled the Court of *Rome*, and daily they consulted of a remedy. They thought to proceed against the King with censures, and to interdict all Christian Nations all commerce with *England*. But the moderate Councell pleased best, to temporize with him, and to mediate a composition by the French King. King *Francis* accepted the charge, and sent the Bishop of *Paris* to *Rome*, to negotiate a pacification with the Pope; where they still proceeded in the cause, but gently, and with resolution, not to come to censures, if the Emperour did not proceed first, or at the same time, with his forces. They had divided the cause into three and twenty Articles, and then they handled, whether Prince *Arthur* had had carnall conjunction with Queene *Catherine*; in this they spent time untill mid-lent was past, when, the nineteenth of March, newes came, that a Libell was published in *England*, against the Pope, and the whole Court of *Rome*, and that besides, a Comedy had been made in presence of the King and Court, to the great disgrace and shame of the Pope, and of every Cardinall in particular. For which cause all being inflamed with choler, they ran head-long to give sentence; which was pronounced in the Consistory, the foure and twentieth of the same moneth, that the mariage betweene *Henry* and Queene *Catherine* was good, that he was bound to take her for his wife, and that, in case he did it not, he should be excommunicated.

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The King causeth the Peter pence to be denied the Pope.

The Pope was soone displeased with this precipitation. For six dayes after, the French King his letters came, that the King of *England* was contented to accept the sentence concerning the *Attentates*, and to render obedience, with condition, that the Cardinals whom he mistrusted should not meddle in the businesse, and that persons not suspected, should bee sent to *Cambray* to take information. And the King had sent his Proctors before, to assist in the cause at *Rome*. Wherefore the Pope went about to devise some pretence, to suspend the precipitated sentence, and againe to set the cause on its feet.

But *Henry* so soone as he had seene it, said it was no matter. For the Pope should be Bishop of *Rome*, and himselfe sole Lord of his Kingdome: and that he would do according to the ancient fashion of the Eastern Church, not leaving to be a good Christian, nor suffering the Lutheran heresie, or any other to be brought into his Kingdome. And so he did. He published an Edict, wherein he declared himselfe head of the Church of *England*, and punished capitally, whosoever said that the Pope of *Rome* had any authority there: he chased out the collector of the Peter-pence, and caused the Parliament to approve all these things: where it was determined, that all Bishopricks of *England*, should be conferred by the Archbishop of *Canterbury*,

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burie, without ſending to *Rome*, and that the Clergy ſhould pay to the King one hundred and fifty thouſand pounds ſterling yeerely, for the defence of the Kingdome againſt whoſoever.

How the action of K. *Henry* was expounded.

This action of the King was variouſly expounded. Some thought him wiſe, for freeing himſelfe from the ſubjection of *Rome*, without any innovation in Religion, and without putting his ſubjects in danger of ſedition, and without referring himſelfe to a Councell, a thing which they ſaw hard to be effected, and dangerous alſo for him, it being impoſſible that a Councell, compoſed of Eccleſiaſticall perſons, ſhould not maintaine the Popes power, which is the maine pillar of their order: becauſe by the Papacie it is above all Kings and the Emperour, but without it is ſubject to them, there being no Eccleſiaſticall perſon that hath ſuperiority but the Pope. But the Court of *Rome* mainteined that it could not bee ſaid, that there was no change in Religion, the firſt and principall Article being changed, which is the ſupremacie of the Pope, and that ſeditions would ariſe as well for this onely, as for all the reſt. Which the event ſhewed to be true. For the King was faine to proceed ſeverely againſt ſome of his ſubjects, whom hee loved and eſteemed. It cannot bee expreſſed what griefe was conceived in *Rome*, and by all the Clergie, for the alienation of ſo great a Kingdome from the Popes ſubjection: and it diſcovered the imbecility of humane affaires, wherein, for the moſt part, great damages proceed from thoſe things, from which the greateſt benefits were formerly received. For by matrimoniall diſpenſations, and by ſentences of divorce, as well granted as denied, the Papacie hath gained much in former times, ſheltering the Princes with the name of the Vicar of Chriſt, whom it concerned, with ſome inceſtious mariage, or by diſſolving one to contract another, to unite ſome other territory to their owne, or to drowne the title of divers pretendants, making, for this cauſe, ſtraight alliance with them, and intereſting their power to defend that authority, without which their actions would be condemned and hindered: yea, intereſting not thoſe Princes onely, but all their poſteriry, to mainteine their legitimation. But the misfortune which then aroſe, might be aſcribed to the precipitation of *Clement*, who, in this caſe, knew not how to manage his authority: and if it had pleaſed God to have given him in this fact the uſe of his ſmall wiſdome, he might have gained much, where now his loſſe was great.

The Popes have gained much by matrimoniall diſpenſations.

But the Emperour at his returne into *Germany*, being informed of the negotiation of the Nuncio *Rangone*, concerning the Councell, wrote to *Rome*, complaining that himſelfe having promiſed a Councell to *Germany*, and treated with the Pope in *Bolonia*, in what ſort the Princes ſhould bee dealt with in this matter, yet the Nuncio of his Holineſſe had not proceeded in that manner that was agreed of, but had ſo treated, that the Proteſtants thought themſelves deluded: praying him in the end, to finde ſome way to give *Germany* ſatisfaction. The eighth of June the Emperours letters were read in the Conſiſtory; and becauſe there came advice, a little before that the Landgrave of *Haſſia* had taken the Dukedome of *Wittenberg* from King *Ferdinand*, by force of armes, and reſtored it to the Duke *Vlrick*, the lawfull Lord of it, and that *Ferdinand* alſo was inforced to make peace with

with them, many of the Cardinals ſaid, that the Lutherans having atchieved ſo great a victory, it was neceſſary to give them ſome ſatisfaction, and not to proceed any more by Art, but to make ſome demonſtration of effects, becauſe the Emperour having promiſed a Councell, it was neceſſarie hee ſhould not be deluded, and ſaid, that if the Pope could not finde a way, there was danger, That his Majeſty would bee conſtrained to yeeld to ſome other thing of greater prejudice and loſſe to the Church. But the Pope and major part of the Cardinals, ſeeing it was impoſſible to make the Lutherans accept ſuch a Councell, as might bee ſerviceable to the Court of *Rome*, and being reſolute not ſo much as to hearken to any ſpeech of making it otherwiſe, they reſolved to anſwer the Emperour, that they knew very well the importance of the times, and what great need there was of a generall Councell: which they were moſt ready to intimate, in caſe it might be ſo celebrated, that it might produce good effects, as need requireth: but ſeeing new diſcords ariſe betweene him and *France*, divers open diſſentions betweene other Chriſtian Princes, it was neceſſary they ſhould ceaſe, and minds ſhould bee reconciled, before the Councell were called. For, during the diſcords it could not produce any good effect, and now leaſt of all, the Lutherans being in armes, and made proud by the victory of *Wittenberg*.

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But it was neceſſary to leave diſcourſing with the Pope of a Councell: For he fell into a long and mortall infirmity, whereof he died in the end of September, with no ſmall joy of the Court. For though they admired his vertues, which were a naturall gravity, exemplary parſimony, and diſſimulation, yet they hated more his avarice, rigidity, and cruelty, encreaſed, or more manifeſted, after he was oppreſſed by his infirmity.

Clement the 7. dieth.

In the vacancies of the Sea, the Cardinals uſe to compoſe certaine capitulations, to reforme the Papall government, which all ſweare to performe, if they ſhall be aſſumed to the Popedome, though it appeare by all precedent examples, that every one ſweareth with a minde not to keep them, in caſe he ſhall be Pope. For ſo ſoon as he is elected, he ſaith, he could not bind himſelfe, & that he is at liberty by gaining the Papacie. After the death of *Clement*, the capitulations were ſet down, according to cuſtom, amongſt which one was, that the future Pope ſhould be bound to call a Councell within a yeer. But the capitulatiõs could not be eſtabliſhed & ſworn, becauſe the ſame day, the 12. of Octob. in which the Conclave was locked up, Cardinal *Farneſe* was ſuddenly created Pope, firſt called *Honorius* 5. in the creation, and after in the coroation *Paulus* 3. A Prelate endowed with good qualities, & among all his vertues, made more eſteeme of none then of diſſimulation. He being a Cardinall practiſed in ſix Popedomes, Deane of the Colledge, and much converſant in negotiations, ſhewed that he did not feare the Councell, as *Clement* did, but thought it profitable for the Papacie, to make ſhew by al means of deſiring it, being aſſured that hee could not be enforced to call it in ſuch manner, and in ſuch a place where he could have no advantage, and when there was cauſe to hinder it, the contradiction which the Court and Clergie would make, was ſufficient. He thought alſo that this might ſerve to maintaine peace in *Italy*, which hee eſteemed very neceſſary, that hee might governe

Capitulations always compoſed in the vacancy of the Popedom.

Card. *Farneſe* is created Pope, firſt called *Honorius* 5 and in the coronation named *Paulus* 3. Whoſe chiefeſt vertue was diſſimulation.

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verne in quiet. Hee ſaw very well that this colour of a Councell might ſerve to cover many matters, and to excuſe him in not doing thoſe things which were contrary to his will. Therefore ſoone after his Creation he let them know, that though the capitulations were not ſworne, yet hee was reſolved to obſerve that of the convocation of a Councell, knowing it to be neceſſary for the glory of God, and benefit of the Church; and the 16. of the ſame moneth hee made a generall congregation of the Cardinals, which is not called a Conſiſtory, the Pope not being crowned as yet, where hee propoſed this matter. Hee ſhewed, by potent arguments, that the intimation could not bee deferred, it being otherwiſe impoſſible to make true amity betweene Chriſtian Princes, and to extirpate the hereſies: and that therefore all the Cardinals ought maturely to conſider how it ſhould bee celebrated. He deputed alſo three Cardinals to adviſe of the time, and place, and other particulars, with order to deliver their opinion in the firſt Conſiſtory after the coronation. And to make contradictions ariſe, which might ſerve him in occaſions, hee added, that as he would reforme the Clergie in the Councell, ſo it was not convenient there ſhould be need to reforme the Cardinals, but that it was neceſſary they ſhould then begin to reforme themſelves, becauſe hee was reſolved to draw fruit from the Councell, the precepts whereof would bee of ſmall force, if the effects appeared not firſt in the Cardinals.

He maketh ſhew that he deſireth a Councell.

Perſwadeth the Cardinals to reforme themſelves,

The cuſtome is, that in the firſt daies the Cardinals, eſpecially the great ones, obtaine favours eaſily of the new Pope. Therefore the Cardinall of *Lorraine*, and other French, in the name of the King, deſired him to grant to the Duke of *Lorraine* the nomination of the Biſhopricks, and Abbacies of his dominion: which demand alſo it was thought the Venetians would make for theirs. The Popes anſwer was, that in the Councell, which ſhould bee called ſhortly, it was neceſſary to take away the faculty of nomination from thoſe Princes that already had it; which was ſome blemiſh to the Popes his Predeceſſors, who had granted them. Therefore it was not reaſonable to augment the heap of errours, and to grant that now, which ſhortly ſhould bee revoked with ſmall reputation.

And refuſeth to grant the nomination of Biſhops and Abbats to any Prince.

In the firſt Conſiſtory, which was the twelfth of November, he diſcourſed againe of the Councell, and ſaid, that firſt it was neceſſary to obtaine an union of Chriſtian Princes, or aſſurance of ſuſpenſion of armes, while the Councell ſhould endure. Therefore that hee would ſend *Nuncy* to all Princes to negotiate this point, and other particulars, of which the Cardinals put him in minde. Hee called alſo *Vergerius* out of *Germany*, to bee well informed of the State of thoſe Provinces, and deputed three Cardinals, one of every order to conſult of the things to bee reformed. Theſe were the Cardinall of *Siena*, of S. *Severino*, and *Ceſis*. Neither was there ever any Conſiſtory where he entred not, and ſpake much of this matter, and often ſaid, it was neceſſary for this end, that the Court, and eſpecially the Cardinals ſhould firſt be reformed. This was expounded by ſome, to be ſpoken with good zeale, and deſire of effect, by others, that the Court and Cardinals, might finde meanes to hinder the Councell, that there might not bee any reformation. And the ground of this their opinion was, that having

The Pope maketh ſhew to deſire an union of Princes, and a reformation of the Court.

Vergerius is recalled out of *Germany*.

ving deputed three Cardinals, he elected neither the most zealous, nor the most practicall, but the slowest and most quiet of all the Colledge. But the next moneth of December, he gave more ample matter of discourse. For hee created Cardinals, *Alexander Farnese* his owne grandchild by *Peter Aloisius* his bastard, and *Guido Ascanius Sforza*, grandchild by his daughter *Constanza*, the former of foureteene yeeres of age, and the other of sixteene. To those that told him of their youth, he answered, that his owne decrepite old age did supply it. The hope of reforming the Cardinals, and the feare of some of them vanished immediately, because it did not appeare how it could begin, but from the age, and lawfull birth of those which were to be created. The Pope also gave over to speak thereof any more, having done that, which would not suffer him to maske any longer. Yet the proposition of calling a Councell was currant still.

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Two of the Popes nephewes are created Cardinals, both very yong.

And in the Consistory of the sixteenth of January 1535. he made a long and vehement Oration, exciting the Cardinals to resolve in that matter. For by proceeding so slowly, the world did think that the Councell was not truely intended, and that they had nothing but words, and Court holy water. And he delivered his minde with such grave sentences, that the whole auditory was moved. In that consistory it was resolved to dispatch Nuncij to the Emperour, to the French King, and other Christian Princes, with commission to declare, that the Pope and Colledge had determined absolutely, for the benefit of Christendome, to celebrate a Councell, exhorting them to favour it, and to procure peace and tranquillity, while it shall last, but to tell them, that for the time and place, his Holinesse was not resolved as yet. And the most secret instruction was, that they should cunningly finde out, what the Princes thought concerning the place, to the end, that all their interests and purposes being knowne, hee might hinder them, by opposing one against another, and so work his owne will. Hee charged also the Nuncij to complaine of the actions of the King of *England*: and, when they saw opportunity, to incite them against him, and to offer them also that Kingdome for a prey. Among the Nuncij *Vergerius* was one, sent back into *Germany* with more speciall Commissions, to penetrate the minde of the Protestants, concerning the forme of proceeding in the Councell, that hee might draw from thence such conclusions as were necessary. Hee gave him also particular charge to treat with *Luther*, and the other principall Preachers of the reformed doctrine, using all kinds of promises and offers, to reduce them to some composition. The Pope reprehended in all occasions the rigidnesse of Cardinall *Caietan*, who in the Diet of *Ausburg* 1518. refused *Luthers* offer, that silence being imposed to his adversaries, he would also be contented to hold his peace: and hee condemned the acerbitie of that Cardinall, who, by urging obstinately a recantation, cast that man headlong into despaire, which had cost, and would cost the Church of *Rome*, as much as the halfe of her authority is worth. That hee would not imitate *Leo*, in beleeving that the Friars are good instruments to suppresse the Preachers of *Germany*. For reason, and experience have declared the vanity of that cogitation. That there were but two meanes, force and treaties; both which he would use, being ready to agree to any condition,

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The Pope sendeth Nuncii to all Princes, to treat with them concerning the Councell.

Vergerius is sent back into *Germany* with speciall instructions.

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ſo that the Popes authority might remaine intire. For which end hee ſaid hee had need of able men, fit for negotiation, and therefore the one and twentieth of May, he created ſix Cardinals, and the ſeventh, a few dayes after, all which were men much eſteemed in the Court. Among theſe was *John Fiſher* Biſhop of *Rocheſter*, then priſoner in *England*, for refuſing to obey the Kings Decree, which took away the Popes authority. The Pope in making choice of him, conſidered that he honoured this promotion, by putting in that number a learned man, and well deſerving, for the perſecution which he endured: and that having increaſed his dignity, he would have more reſpect with the King, and more credit with the people But that Cardinals Cap profited that Prelate in nothing, but to haſten his death, which was given him 43. dayes after, by cutting off his head in publike.

The Pope createth ſeven Cardinals.

In which number was *John Fiſher* B. of *Rocheſter*.

But howſoever the Pope made open demonſtrations to deſire ſuch a Councell, as might give ſatisfaction, and reduce *Germany*, yet all the Court, and the Popes neereſt friends, who treated moſt ſecretly with him of theſe things, ſaid that it could not any where be celebrated but in *Italy*, becauſe in no other place it could be free, and that in *Italy*, no place could be choſen but *Mantua*.

The Court was of opinion that *Mantua* was the fitteſt place for the Councell.

Vergerius, at his returne into *Germany*, delivered the Popes Ambaſſage, firſt to *Ferdinand*, and then to thoſe Proteſtants that came to that King about the preſent occurrences, and at laſt he made a journey to treat with the others alſo. Hee had no other anſwer from any of them, but that they would conſult together, and reſolve by common conſent in their aſſembly, which ſhould be called in the end of the yeere. The propoſition of the Nuncio contained, that that was the time for the Councels, ſo much deſired, the Pope having treated with the Emperour, and all the Kings to call it ſeriouſly, not as formerly, in appearance onely; and that it may not be deferred any more, he determined to chuſe *Mantua* for the place, according to the reſolution taken with the Emperour, two yeeres ſince: Which being a City of the Emperours vaſſall, placed neere the confines, and the *Venetians*, they might hold it for ſecure: beſides that the Pope and the Emperour would give any greater caution whatſoever. That it was not neceſſary to reſolve or ſpeak of the manner and forme of treating in the Councell, becauſe this would better be done in the Councell it ſelfe, when it ſhall be called. That it could not be celebrated in *Germany*, which abounded with Anabaptiſts, Sacramentaries, and other ſects, for the moſt part, both fooliſh and furious. Therefore that it would not bee ſecure for other nations, to go where that multitude is potent, and to condemne their doctrine. That to the Pope it is all one to call it in any other Country whatſoever; but he would not ſeeme to be inforced, and to have that authority taken from him which he had injoyed ſo many ages, to preſcribe the place of generall Councels.

The negotiation of *Vergerius* in *Germany*.

In this journey *Vergerius* found *Luther* at *Wittenberg*, and treated with him very courteouſly, upon theſe tearmes, inlarging, and amplifying them very much. And firſt, he aſſured him that the Pope, and Colledge of Cardinals, eſteemed him exceedingly, who were infinitely grieved for the loſſe

He treateth with *Luther*.

of

of one, who, if he had beene employed in the ſervice of God, and the Apoſtolicall Sea (which are joyned together) might have brought forth ineſtimable fruit; and that they would do whatſoever they could to regaine him. Hee told that the Pope blamed the rigiditie of *Caietan*, and that the Cardinals did no leſſe; that hee might expect all favour from that holy Sea, and that the rigor of *Leo*, which he uſed by the inſtigation of others, not of his owne diſpoſition, diſpleaſed all men. Hee added alſo that he would not diſpute with him of the controverſies, becauſe he profeſſed not Divinity, but that by common reaſon he could ſhew him that it was good to reunite himſelfe with the head of the Church. For conſidering that his doctrine, comming to light, and being publiſhed within theſe eighteene yeeres had raiſed innumerable ſects, of which the one deteſteth the other, and ſo many popular ſeditions, with the death and baniſhment of ſo great multitudes, it could not bee concluded that it came from God. But one might well aſſure himſelfe, that it was pernicious to the world, becauſe ſo much miſchiefe proceeded from it. *Vergerius* ſaid, that it was too great a ſelfe-love, and too great a conceipt of ones owne worth, when a man would trouble the whole world to ſow his owne opinions. If you have innovated in the faith, (ſaid *Vergerius*) in which you were borne, and bred up 35. yeeres, for your conſcience and ſalvation ſake, it was ſufficient to keep it within your ſelfe. If the love of your neighbour moved you, why did you trouble the whole world unneceſſarily, ſeeing that, without it men did live, and God was ſerved in tranquillity? Hee added that the confuſion was gone on ſo farre, that the remedy could not bee deterred. The Pope is reſolute to apply it by calling a Councell, where all the learned men of *Europe* meeting together, the truth ſhall bee cleered, to the confuſion of unquiet ſpirits, and for the place, hath deſtinated the City of *Mantua*. And although the chiefeſt hope conſiſteth in the goodneſſe of God, yet putting to that account the endevours of men, it was in *Luthers* power, to make the remedy eaſie, if hee will be preſent, treat with charity, and oblige to himſelfe alſo the Pope, a munificent Prince, who taketh ſpeciall notice of perſons of merit. Hee put him in minde of the example of *Eneas Silvius*, who following his own opinions with much ſlavery and labour, could get no further preferment, then to bee Canon of *Trent*, but, being changed to the better, became Biſhop, Cardinall, and finally Pope *Pius* the ſecond. Hee called to his memory *Beſſarion* of *Nice*, who of a poore Caloier of *Trapezonda*, became a great renowned Cardinall, and wanted not much of being Pope.

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And propoſeth unto him the example of *Aeneas Silvius*.

And of *Beſſarion*.

Luthers anſwers were, according to his nature, vehement and fierce, ſaying, that he made no account of the eſteeme which hee had with the Court of *Rome*, whoſe hatred he feared not, nor regarded their good will, that hee applied himſelfe to the ſervice of God, as much as he could, though when he had done all, he was but an unprofitable ſervant; that he ſaw not how the ſervices of God were joyned with thoſe of the Papacie, but as darkneſſe with light; that nothing in all his life was more profitable to him, then the rigor of *Leo*, & the rigidity of *Caietan*, which he could not aſcribe to them, but to the providence of God. For not being as yet in thoſe times illuminated

Luthers anſwer.

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in all the truth of Chriſtian faith, but having onely diſcovered the abuſes of Indulgences, hee was ready to have kept ſilence, in caſe his adverſaries had done the like. But the writings of the maſter of the holy palace, the inſulting of *Caietan*, and the rigor of *Leo* conſtrained him to ſtudy, and to deſcrie many other leſſe tolerable abuſes, and errors of the Papacie, which he could not diſſemble, nor refraine to declare them unto the world with a good conſcience. That the Nuncio had ingeniouſly confeſſed that hee underſtood not Divinitie; which appeared cleerely by the reaſons which hee propoſed, becauſe none could call his doctrine new, but hee that beleeved that CHRIST, the Apoſtles, and the holy Fathers lived, as now the Pope, Cardinals, and Biſhops do. Neither can any argument be drawne againſt the doctrine, from the ſeditions happened in *Germany*, but by him that hath not read the Scriptures, and knoweth not that this is proper to the word of God, and the Goſpel, that it ſtirreth up troubles and tumults, even to the ſeparation of the father from the ſonne, whereſoever it is preached. That this was the vertue of it, to give life to them that hearken to it, and to bring greater damnation to whoſoever rejecteth it. Hee added, that it was a great fault of the Romaniſts, to eſtabliſh the Church with governments taken from humane reaſons, as if it were a temporall State. That this is that kinde of wiſdome, which S. *Paul* ſaith, is accounted fooliſhneſſe with God, as not to eſteeme thoſe politique reaſons, by which *Rome* doth governe, but to truſt in Gods promiſes, and to referre to his Majeſty the managing of the Church affaires, is that humane folly, which is wiſdome with God. That to make the Councell take good effect, and to bee profitable for the Church, was not in the power of *Martin*, but of him that can make it free, that the Spirit of God may rule there, and guide it, and the holy Scripture may bee the rule of the reſolutions, not bringing thither intereſts, uſurpations, and artifices of men: which in caſe it ſhould happen, yet himſelfe would there uſe all ſincerity, and Chriſtian charity, not to binde the Pope or any other unto him, but for the ſervice of Chriſt, and peace and liberty of the Church. But that hee could not hope to ſee ſo great a good ſo long as it appeared not that the wrath of God was appeaſed, by a ſerious converſion from hypocriſie. That no ſound argument could bee taken from the aſſembling of learned men, ſeeing that ſo long as the anger of God is kindled, there is no error ſo abſurd and unreaſonable, which Satan cannot perſwade, eſpecially to thoſe great wiſe men, who think they know much, whom the Majeſty of God will confound. That nothing can be received from *Rome* compatible with the miniſtery of the Goſpel. That the examples of *Eneas Silvius*, and *Beſſarion* moved him not. For he eſteemeth not thoſe cloudy glitterings, and, in caſe he would exalt himſelfe, hee might truely reply that which facetely was ſpoken by *Eraſmus*, that *Luther* being poore and baſe, maketh rich, and advanceth many. That it was well known to the Nuncio himſelfe, (not to go farre) that the laſt May himſelfe had a great part in the creation of the Biſhop of *Rocheſter*, and was the totall cauſe of the creation of *Scomberg*. That if the life of the firſt was ſo ſoone taken away, this was to bee aſcribed to the providence of God. *Vergerius* could not perſwade *Luther*, to remit any thing of his conſtancie, who ſo

Vergerius could not move Luther.

ſtedfaſtly

ſtedfaſtly maintained his doctrine, as if it had beene apparant to the eyes, and ſaid, that the Nuncio, yea and the Pope himſelfe, ſhould ſooner embrace his faith, then he would abandon it. 1535

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Vergerius aſſaied alſo to perſwade ſome other Preachers in *Wittenberg*, and elſewhere in the journey, according to the Popes commiſſion; but found no inclination, as hee thought he ſhould, but rigidity in all that were of account; and thoſe that rendred themſelves were of ſmall worth, and pretended much, ſo that they were not for his purpoſe.

Nor any of the othar Lutherans, except ſome few of ſmall eſteeme.

But the Proteſtants, underſtanding *Vergerius* his propoſition, there being fifteene Princes, and thirty Cities aſſembled in *Smalcalda*, anſwered, that they had declared their reſolution concerning the Councell in many Diets, and laſt of all to the Nuncio of Pope *Clement*, and the Emperours Ambaſſadors, two yeeres ſince, and that ſtill they deſired a lawfull Councell, as they were ſure that all godly men did, and that they would go to it, as many times hath beene determined in the Imperiall Diets. But for the Councell which the Pope hath appointed to bee in *Mantua*, they hoped that the Emperour would not break the decrees of the Diet, nor his owne promiſes, ſo often made unto them, that the Councell ſhould bee celebrated in *Germany*, and that they ſaw not how there could be any danger there, ſeeing that all the Princes and Cities obey the Emperour, and are ſo well governed, that all ſtrangers are received and entertained with all humanity. But that the Pope ſhould provide for the ſecurity of thoſe that went to the Councell they could not ſee how, eſpecially conſidering what things have happened in the precedent age. That the Chriſtian Common-wealth hath need of a godly and free Councell, and that to ſuch a one they have appealed. And whereas the Nuncio ſaid that they ought not to treat of the manner and forme firſt, it ſignified nothing but that there ſhould be no liberty, and that all ſhould bee referred to the Popes power, who already having ſo often condemned their religion, the Councell cannot bee free, if hee ſhall bee Judge. That the Councell is not the tribunall of the Pope and Prieſts onely, but of all the orders of the Church, not excluding the Seculars. That to preferre the Popes power before the authority of the whole Church, is an unjuſt and tyrannicall opinion. That the Pope defending the opinion of his owne men, yea with cruell edicts, making himſelfe a party to the cauſe, it is juſt that the manner and forme of the proceſſe ſhould bee determined by the Princes

The anſwer of 15. Princes and 30. Cities aſſembled in *Smalcalda*. *Mantua* is refuſed by the *Germans*.

The Kings of *England* and *France* ſent Ambaſſadours to the aſſembly of *Smalcalda*: the French King (who had a deſigne to make warre in *Italy*, *Francis Sforza* Duke of *Milan* being now dead) deſired them not to accept of any place for the Councell, without the advice of him, and of the King of *England*, and that they would accept of none without them. The King of *England* adviſed them to beaware that they called not ſuch a Councel, where, in ſtead of moderating the abuſe, they ſhould more eſtabliſh the Popes authority, and deſired them to approve his divorce. On the other ſide they dealt with him to receive the Auguſtan confeſſion: Which things, being treated of in divers aſſemblies, had no concluſion at all.

The King of *England* and the *French* King ſend Ambaſſadors to *Smalcalda*. *Francis Sforza* dieth.

But *Vergerius*, in the beginning of the yeere 1536. returned to the Pope, to relate 1536

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relate the effect of his Ambaſſage. He delivered in ſumme, that the Proteſtants would not receive any Councell, except it were free, and in a fit place, within the confines of the Empire, grounding themſelves upon the Emperors promiſe; and that of *Luther* and his complices there was no hope at all, nor any other way to be thought of, but to oppreſſe them with warre. *Vergerius* for his reward had the Biſhopricke of *Capo d'Iſtria*, his own Countrey, and was ſent by the Pope to *Naples*, to make the ſame relation to the Emperour, who having been victorious in *Africa*, was paſſed into the kingdome, to ſettle the affaires thereof. The Emperour hearing the narration of the Nuncio, went to *Rome*. Hee had private conference with the Pope, concerning the affaires of *Italy*, and the pacification of *Germany*. The Pope, according to *Vergerius* counſell, ſaid there was no meanes to bee uſed but warre. But the Emperour, ſeeing the time not ripe as yet, to reap from thence that good fruit, as others were perſwaded he might, and himſelfe alſo intangled in *Italy*, without poſſibility of being free, but by yeelding *Milan*, which he reſolved, by all meanes to make his owne, whither all his actions did principally tend, alleadged for a reaſon to deferre that warre, that it was more neceſſary to defend *Milan* from the French men. On the other ſide the Pope, whoſe thoughts were wholly bent to make an Italian Lord of that State, and therefore propoſed the warre of *Germany*, not ſo much to ſuppreſſe the Lutherans (as he ſaid openly) as to divert *Cæſar* from poſſeſſing *Milan*, which was his principall end, though ſecret, replied that himſelfe and the Venetians, what by armes, and what by treaties, would more eaſily make the King deſiſt, in caſe his Imperiall Majeſty did not meddle.

Vergerius returneth and deliver eth to the Pope the effect of his negotiation. He is rewarded and ſent to the Emperour.

The Emperour goeth to *Rome* to conferre with the Pope.

The Emperour having diſcovered the inward thoughts of the Pope, with as much diſſimulation, made ſhew he was perſwaded, and inclined to the warre of *Germany*; yet hee ſaid, that it was fit to juſtifie the cauſe well, that the whole world might not be againſt him, and to ſhew, by intimating a Councell, that he had firſt uſed all other meanes. The Pope was not ſorry that, being neceſſarily to intimate a Synod, it ſhould be done in a time, when, in regard the French King had invaded *Savoy* and *Piemont*, all *Italy* would be ſet on fire with warre; whereby an apparant pretence was given him to environ the Councell with armes, under colour of cuſtody and protection. He ſhewed himſelfe to bee contented, ſo that ſuch conditions were ſet downe which might not derogate from the authority and reputation of the Apoſtolique Sea. The Emperour, who by reaſon of the victory atchieved in *Africa*, was lifted up in minde, and ſwollen with vaſt thoughts, beleeved he ſhould make an end of the warre in *Lombardy* within two yeeres at the moſt, and that having immured the King of *France* beyond the mountaines, he might apply himſelfe to the affaires of *Germany*, without any impediment. His meaning was the Councell ſhould ſerve him for two things. Firſt to bridle the Pope, in caſe, during the warre of *Italy*, he ſhould according to the cuſtome of other Popes, put himſelfe on the French ſide when that ſhould bee the weaker, to counterpoiſe him that was victorious. Secondly to reduce *Germany* to his obedience, which was the mark he ſhot at. But for the Popes obedience, hee eſteemed it but an accidentall thing. For the place, *Mantua* pleaſed him; and for the reſt he cared not what condition the Pope might

The Pope and Emperor have contrary ends and diſſemble one with another.

The Emperor is puffed up with the *African* victory.

might adde, considering that when the Councell were assembled, he should be able to change whatsoever pleased him not. Therefore he concluded that he was contented with any condition, so that the Councell might bee celebrated, alledging that hee hoped to perswade almost all *Germany* to consent unto it. Wherefore the resolution was established by the Pope, and the whole colledge of Cardinals. 1536 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1

A resolution established for calling the Councell.

Therefore the Emperour, entring into the publike Consistorie the 28. of Aprill, thanked the Pope and Colledge, for having readily and without delay resolved to call a generall Councell, and then desired them that the Bull might be dispatched before hee parted from *Rome*, that himselfe might give order for the rest. The Bull could nor be framed so soone, because it was necessary to consider of fit words to be put into it, such as might give as much hope of liberty as was possible, and yet not prejudice the Papall power. Six Cardinals, and three Bishops were deputed for this businesse; and finally the Bull was finished the twelfth of June, published in the Consistory, and subscribed by all the Cardinals. The tenor was as followeth.

The Emperor entreth into the publike Consistory.

The Bull for Convocation of the Councell is made.

That from the beginning of his Papacie hee had desired nothing more then to cleanse the Church, recommended by God to his care, from heresies and errors, and to restore the discipline to its former state: for which, finding no way more commodious then that which alwayes hath beene used in like occurrences, that is, a generall Councell, he had often written concerning it to the Emperour and other Kings, with hope not onely to obtaine this end, but also, that all discords being appeased betweene Princes of Christendome, warre might bee made against the Infidels, to free the Christians from that miserable slavery; and also to reduce the Infidels themselves to the faith. Therefore by the fulnesse of authority which he hath from God, by the consent of his brethren the Cardinals, hee doth intimate a generall Councell of all Christendome, against the 27. of May the next yeere 1537. in *Mantua*, a rich place, and commodious for the celebration of the Councel. Therefore he commandeth the Bishops and other Prelats, of what place soever, by vertue of their oath, and under the paines set downe by the holy Canons and Decrees, that they tender their presence there at the day prefixed. He prayeth the Emperor, French King, and all other Kings and Princes to be there in person, or in case they cannot, to send honourable and ample ambassages, as the Emperour, French King, and other Christian Princes have often promised both to *Clement*, and to him: and to cause the Prelats of their Kingdomes to go thither, and there remaine untill the end, to determine that which shall bee fit to reforme the Church, extirpate heresies, and to make warre against the Infidels.

The Councell is to begin in *Mantua*, May 27. 1537

The Pope published another Bull also, to correct (as he said) all the vices and defects of the Citie of *Rome*, the head of all Christendome, mistris of learning, manners and discipline; that his owne house being first purged, he might more easily cleanse the rest. But not being able fully to performe this businesse by himselfe, he deputed the Cardinals *Ostiense*, Saint *Severino*, *Genutio*, and *Simoneta*, commanding all men under the most grievous paines, to yeeld them absolute obedience. These Cardinals, together with other Prelats deputed also by the Pope, applyed themselves immediatly to reforme the Penitentiarie

A Bull for the reformation of *Rome*.

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Penitentiarie and Datarie Courts, and the manners of the Courtiers: yet nothing took effect. But the intimation of the Councell seemed very unfit to every man of any meane capacity, in a time when warres were on foot in *Picardie*, *Provence*, and *Piemont*, betweene the Emperour and the French King.

The Protestants do not approve the Bull of the Convocation.

The Protestants when they had seene the Bull, wrote to the Emperour, that it appeared not what should be the forme and manner of the Councel. They desired it should be pious, free, and in *Germany*, and such a one was ever promised unto them, and said, they hoped that his Majesty would provide that their demands should be satisfied, and his promise fulfilled.

1537 The Emperor exhorteth thē to accept the Councell.

But in the beginning of the next yeere 1537 the Emperor sent to the Protestants *Matthias Eldo* his Vice-Chancellor, to exhort them to receive the Councell, for the calling whereof he had taken so great paines, and where he meaned to afford his personall presence, if some great warre constrained him not to be elsewhere. He put them in minde that they had appealed to a Councell, and therefore that it was not convenient that now they should change their purpose, and refuse to meet all other Nations, who have fixed therein all their hope for reformation of the Church. Concerning the Pope, the Emperour said, there was no doubt but that he would governe himselfe as was fit for the principall head of the Church, and that in case they had any complaint against him, they might modestly prosecute it in the Councel. For the manner and forme, that it was not convenient they should prescribe it to all Nations, but should rather think that not their divines onely were inspired from God, and understood holy mysteries, but that men may elsewhere be found, who want neither learning, nor sanctity of life. For the place, though they have demanded it in *Germany*, yet they should consider what was fit for other Nations. *Mantua* is neere to *Germany*, rich, healthfull, and the Duke thereof vassall of the Empire; so that the Pope hath no power there; and if they desired any further caution, himselfe was ready to give it them. Hee spake also apart with the Elector of *Saxony*, exhorting him to send his Ambassadours to the Councell, without using exceptions or excuses, which would hatch nothing but inconveniences. Concerning the Councell, the Protestants answered, that having read the Popes letters, they saw well, that he and the Emperour were not of one minde; and having repeated what was treated of with *Adrian*, *Clement*, and *Paul*, they concluded, that they had all the same end. They went on to alledge their reasons, why the Pope should not bee judge in the Councell, nor yet those, who were by oath tied unto him. And for the place appointed, beside that it was against the Decrees of the Imperiall Diets, no safe conduct could free them from danger, if they went thither. For the Pope having adherents throughout all *Italy*, who bitterly hate the Protestants doctrine, there was great danger of treachery and secret plots. Besides, in regard that many Doctors and Ministers ought to go in person, because it is not fit to handle a matter of that importance by deputies, their Churches would bee left desolate. And how can they consent to the judgement of the Pope, who hath no other ayme but to root out their doctrine, which hee calleth heresie, and cannot refraine from saying so much in all his Buls, yea, in that, by which he intimateth

And they answere.

mateth the Councell: and in the Bull, which, dissemblingly, hee made for reformation of the Court of *Rome*, hee hath often repeated, that hee hath called a Councell to extirpate the Lutheran heresie, and maketh demonstration thereof by effects, exercising bloody torments and punishments, against poore innocent people, who adhere to that religion, for conscience sake. And how shall they be able to accuse the Pope and his followers, when himselfe will be judge? And to approve his Briefe, is nothing else but to consent to their owne condemnation. And therefore that they have alwayes demanded a free and Christian Councell, not onely that every man may freely speak, the Turks and Infidels being excluded; but that those that are linked together by oaths, and other Covenants, may not bee Judges, and that the word of God may governe, and define all the controversies. That they well know, that there are learned and godly men in other Nations: but withall they assure themselves, that if the unlimited power of the Pope shall bee moderated, not their Divines onely, but many others, who now by reason of oppression hide themselves, will labour for reformation of the Church. That they will not dispute of the situation and fitnesse of *Mantua*, but they may well say, that so long as there is warre in *Italy*, they cannot want matter of suspicion. That it is sufficient to say of the Duke of that Citie, that hee hath a brother a Cardinall, one of the prime men of the Court. That in *Germany*, there are many Cities as commodious as *Mantua*, where Justice and equity do flourish: and in *Germany* those secret wiles to take away mens lives, are neither used nor knowne, as they are in other places. That in the ancient Councels, the secureneſſe of the place hath ever beene first sought for, which would not be sufficient there, though he the Emperour were personally present in the Councell. For it is knowne that the Popes grant him place in consultations, but for power of determining, they reserve it to themselves onely. That it was knowne what happened to the Emperour *Sigismond*, in the Councell of *Constance*, whose safe-conduct was violated by the Synod: and himselfe constrained to put up so great an affront. Therefore they prayed his Majesty to consider the importance of these reasons.

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There appeared in this same Diet the Bishop of *Aix*, sent by the Pope to invite them to the Councell. But hee did no good, and some of the Princes would not so much as heare him. And to make their reasons knowne to the world they printed and published a writing, where they laboured principally to answer that objection, that they would not submit themselves to any Judge, that they despised other nations, that they refused the supreme tribunall of the Church, that they had renewed heresies formerly condemned, that they were glad of civill discords, that the faults which they found in the manners of the Court of *Rome*, were small, and tolerable. They alledged the causes why it was not fit, that the Pope alone, nor yet together with his adherents, should be Judge: they brought the examples of many Councels refused by divers of the Fathers, and in fine, implored the aid of all Princes, offering that whensoever a lawfull Councell shall bee called, they will therein defend their cause and render an account of all their actions. They sent also an expresse Ambassadour to the French King, to give him

Some of the Protestant Princes would not so much as heare the Popes Nuncio

They justifie their actions to the world by writing

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him a particular account of the ſame things: who anſwered, that for the Councell he was of their opinion, not to approve it, except it were lawfull, and in a ſecure place, aſſuring them that his ſonne-in-law, the King of *Scotland* was of the ſame minde.

The Duke of *Mantua* maketh a grant of his Citie & afterwards r. calleth it.

The Duke of *Mantua* to gratifie the Pope, granted his City for the Councell, without conſidering what he did, thinking, as others, that it could not be effected, there being warres betweene the Emperour and French King, and *Germany* oppoſing it, for whoſe ſake it was called, But when he ſaw the intimation, he began to think how to ſecure the place, and ſent a propoſition to the Pope, that in regard of the great number of thoſe that would come to the Councel, there was need of a great garriſon, which he would not have depend upon any but himſelfe, and that he was not able to maintaine it. Therefore in caſe his Holineſſe would celebrate the Councell in that Citie, he muſt allow him money for ſouldiers pay. The Pope anſwered that the multitude would not conſiſt of men of armes, nor profeſſed for the war, but of Eccleſiaſticall and learned perſons, which one magiſtrate, whom he would depute to render juſtice, with a ſmall court and gard, was able to keep in order; that a garriſon of ſouldiers would breed a generall ſuſpicion, and became not the place of the Councell, where all ſhould appeare and bee truely peaceable, and that in caſe a garriſon were neceſſary, it were not reaſonable to put it into the hands of any but of the Councell it ſelf, that is, of the Pope, who is head thereof. The Duke, conſidering that juriſdiction draweth with it abſolute ſoveraignty, replyed, that by no meanes hee would have juſtice adminiſted in his Citie, but by his owne officers. The Pope, a very wiſeman, who ſeldome received any anſwer which he did not foreſee, was much amazed, and anſwered the Dukes man, that hee would never have beleeved that by his Lord, a Prince of *Italy*, whoſe family hath beene ſo much advanced by the Apoſtolicall Sea, who had a brother a Cardinall, that would bee denied him ot which never any made doubt before, which the Law of God and man doth give him, which the very *Lutherans* cannot deny, that is to bee ſupreme judge of the Clergie; a thing which the Duke denieth not to his owne Biſhops, to judge the cauſes of Prieſts in *Mantua*. That in the Councell none ſhould be preſent but the Eccleſiaſtiks, who are exempted from the ſecular povver, both themſelves & their families. Which is ſo cleere, that the Doctors of Divinity affirm that the very concubines of Prieſts are of Eccleſiaſticall juriſdiction; and yet he vvould deny him a Magiſtrate to render juſtice to thoſe men, during the time of the Councell. The Duke, for all this, vvas conſtant, aſvvell in refuſing the Popes Magiſtrates, as alſo in demanding pay for ſouldiers. Theſe conditions ſeeming hard to the Pope, contrary (as he ſaid) to the ancient cuſtome, and againſt the dignity of the Sea and Eccleſiaſticall liberty hee vvould not yeeld unto them, and reſolved not to call the Councell at *Mantua*. He remembred very vvell vvhat happened to *John* 23. for calling a Councell vvhere another vvas ſtronger then hee. His purpoſe therefore vvas to prolong the time, and excuſed himſelfe in a publique Bull, ſaying, in ſubſtance, that though vvith griefe he vvas conſtrained to depute an other place for the Synod, yet he endured it vvith patience, becauſe another vvas in fault and not himſelfe: and becauſe

The Pope claymeth right to adminiſter juſtice where the Councell ſhall be celebrated.

Prieſts concubines are of Eccleſiaſticall juriſdiction.

The Pope reſolveth not to call the Councel at *Mantua*.

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he could not reſolve ſo ſuddenly upon a convenient City, he deferred the celebration thereof untill the firſt of November the ſame yeere. 1537

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At that time the King of *England* publiſhed a manifeſt in his owne name, and of his nobility, againſt the Popes Convocation, as by a perſon that had no power, in a time when *Italy* was ſet a fire with warre, and in a place not ſecure, adding that he much deſired a Chriſtian Councell, but that to the Popes he would neither go nor ſend Ambaſſadours, having nothing to do with the Biſhop of *Rome*, or his Edicts, more then with the edicts of any other Biſhop. That the ancient Councels were called by the authority of Kings, which cuſtome ought now the rather to be renewed, becauſe the defects of the Court of *Rome* are called in queſtion. That it was not uſuall with Popes to break their faith, which himſelfe had more cauſe to conſider then others, being moſt bitterly hated by him, for having denyed him authority in his Kingdome, and the revenew which was paid him. That to blame the Prince of *Mantua*, becauſe hee will not receive ſo many people into the City without a garriſon, is to mock the world; as alſo to prorogue the Councell unto November, not ſaying in what place it ſhall be celebrated. And if the Pope chooſe the place, without doubt it will be in his owne State, or of ſome Prince that is obliged to him. Therefore, it being impoſſible that any man of judgement ſhould hope for a true Councell, the beſt way was for every Prince to reforme Religion at home: concluding in the end that if any man could give him better directions, hee would not refuſe to follow them.

The King of *England* oppoſeth the Councell by a publique manifeſt.

In *Italy* alſo there was a generall diſpoſition to interpret the Popes actions in the worſer ſenſe: and it was ſpoken freely, that though the Duke of *Mantua* were blamed, yet he vvas not the cauſe vvhy the Councell vvas not called, whereof there vvas a manifeſt argument, becauſe the Pope had publiſhed a Bull for reformation of the Court, and committed the care thereof to foure Cardinals at the ſame time; vvhich notvvithſtanding vvas buried in ſilence, though neither the Duke, nor any body elſe hindred it from being in his povver: and having propoſed it immediately after it vvas aſſumed to the Papacies, it vvas not ſo much as ſpoken of for three yeeres after. The Pope to vvithſtand theſe defamations, reſolved to ſet the buſineſſe on foot againe, firſt reforming himſelfe, the Cardinals, and the Court, that none might object againſt him, nor make bad conſtruction of his actions; and he elected foure Cardinals, and five other Prelats, whom hee ſo much eſteemed that the yeere following he made foure of them Cardinals, giving charge to thoſe nine to collect the abuſes, vvhich deſerved amendment, and vvithall to adde the remedies, by vvhich they might quickly, and eaſily be removed, and to reduce all to a good reformation. The Prelats made the collection, as the Pope commanded, and committed it to vvriting.

The care of reforming the Court, was committed to 4. Cardinals, but nothing was done, which made the *Italians* ſuſpect the Popes actions.

The reformation is ſet on foot againe.

In the beginning they propoſed for the fountaine and ſource of all the abuſes, the Popes readineſſe in giving eare to flatterers, and his facility in diſpenſing vvith Lavves, vvith neglect of the Commandement of Chriſt, not to receive gaine for ſpirituall things. And deſcending to particulars, they noted tvventy foure abuſes in the adminiſtration of Eccleſiaſticall matters, and foure in the ſpeciall government of *Rome*: they touched the ordination of Clergie

The fountaine of the abuſes of the Court.

The Particular abuſes.

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Clergie men, Collation of Benefices, Penſions, Permutations, Regreſſes, Reſervations, Plurality of Benefices, Commendaes, Exemptions, deformation of the regular order, ignorance of Preachers, and Confeſſors, liberty of Printing pernicious Books, the reading of them, toleration of Apoſtates, Pardoners And, Paſſing to diſpenſations, firſt they touched that, for mariage of thoſe that are in orders, for mariages in degrees forbidden, diſpenſations granted to Symoniacall perſons, facility of granting Confeſſionals and Indulgences, diſpenſation of vowes, licence to bequeath by will the Church-goods, commutation of wils and teſtaments, toleration of harlots, negligence of the government of hoſpitals, and ſuch other things, which they exactly handled, expounding the nature of the abuſes, the cauſes and originall of them, the conſequences of the evils which they carry with them, the meanes to redreſſe them, and to keep hence forward the body of the Court in Chriſtian life : a work worthy robe read, and which deſerved to bee ſet downe word by word, if it had not beene too long.

These things are ſet downe at large in the 12. Book of Sleidan.

The Pope having received the relation of theſe Prelats, cauſed many Cardinals to conſider of it, and after, that he might reſolve what to do, propoſed it in the Conſiſtory. Friar *Nicholas Scomberg*, a Dominican Cardinall of S. *Siſtus*, *alias* of *Capua*, ſhewed in a long diſcourſe, that that time comported not any reformation at all. Firſt, he put them in minde of the malice of man, which being ſtopped in one courſe, finderh a worſe, and that it is better to tolerate a knowne evill, which becauſe it is in uſe, is not ſo much marvelled at, then by redreſſing that, to fall into another, which, being new, will appeare greater, and be more reprehended. Hee added that it would give occaſion to the Lutherans, to bragge that they had inforced the Pope to make that reformation; and above all he conſidered that it would be a beginning to take away not onely the abuſes, but the good uſes alſo, and to endanger the whole ſtate of religion. For by the reformation it would be confeſſed that the things provided againſt, were deſervedly reprehended by the Lutherans, which would be a great abetting to their whole doctrine. On the other ſide, *John Peter Caraffa*, Cardinall *Theatino*, ſhewed that the reformation was neceſſary, and that it was a great offence to God to leave it, and anſwered that it was a rule in Chriſtian actions, that as evill is not to be done that good may follow, ſo no good of obligation is to be omitted, for feare that evill may enſue. The opinions delivered were divers and the finall concluſion was not to ſpeak any more of it untill another time; and the Pope commanded that the remonſtrance of the Prelats ſhould be concealed. But Cardinall *Scomberg* ſent a copie thereof into *Germany* which ſome thought was done by the Popes conſent, that it might appeare there was ſome deſigne in *Rome*, and ſome paines taken alſo for reformation. The copie was ſuddenly printed, and publiſhed, throughout all *Germany*, and many wrote againſt it, both in Dutch and Latine. And the number of the Proteſtants increaſed daily in that Countrey, the King of *Denmark*, and ſome Princes of the houſe of *Brandeburg* being entred into their league.

The Cardinall of S. *Siſtus* would have no reformation at all made.

Cardinall *Caraffa* deſireth the reformation.

The Pope commandeth the remonſtrance of the Prelats to be concealed, but a copie of it is ſent into *Germany* by Cardinall *Scomberg*.

The King of *Denmark* becommeth a Proteſtant.

November drawing neere, the Pope ſent out a Bull for convocation of the Councell at *Vicenza*, and alledging the neceſſity to prorogue the time, becauſe

The Councell is intimated at *Vicenza*, and three Legats appointed.

becauſe winter was at hand, he did intimate it, for the firſt of May, the next yeere 1538 and appointed three Cardinals Legats for that place, *Lorenzo Campeggio*, Legat before for *Clement* the ſeventh in *Germany*, *James Simoneta*, and *Jerom Aleander* created Cardinals by himſelfe. 1538 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1

So ſoone as this Bull went out, the King of *England* publiſhed another Manifeſt, againſt this new convocation, and addreſſed it to the Emperour, Kings, and Chriſtian people, dated the eight day of Aprill, the ſame yeere 1538. that having before declared to the world, the manifold cauſes, why hee had refuſed the Councell, which the Biſhop of *Rome* fained hee would celebrate in *Mantua*, prorogued afterwards, without aſſignation of any certain place, it ſeemed not convenient to proteſt, as often as he did excogitate a new way, and to refuſe that Councel, which the Pope made a colourable ſhew that he would celebrate. He ſaid that that declaration defended his, and his Kingdomes cauſe, againſt all the attempts, that either *Paul*, or any other Pope could make, which he was willing to confirme with this Epiſtle, to excuſe himſelfe for not going to *Vicenza*, more then hee would have done to *Mantua*, though no man deſired a publique aſſembly of Chriſtians more then himſelfe, ſo that the Councell be generall, free, and pious, ſuch as he hath deſcribed in his proteſtation againſt the Councell of *Mantua*. And as nothing is more holy then a generall Convocation of Chriſtians ſo nothing is more prejudiciall and pernicious to religion, then a Councell abuſed for gaine and profit, or confirmation of errors. That it is called a generall Councell, becauſe all Chriſtians may ſpeak their opinions; and that it cannot bee called generall, where onely they are heard, who are reſolved to put themſelves on the Popes ſide, in all matters, and where the ſame men are plaintifes, defendants, advocates, and judges. That all may be ſaid of *Vicenza* which in his declaration, hath beene ſaid of *Mantua*. And briefly repeating a ſhort contents thereof, he ſaid, if *Frederick* Duke of *Mantua* hath not yeelded ſo much to the Popes authority, as to grant him his Citie in that manner that he would, why ſhould we ſo much eſteeme it, as to go whither hee pleaſeth? If the Pope hath power from God to call Princes whither hee will, why can hee not chooſe what place he lifteth, and make himſelfe obeyed? If the Duke of *Mantua* can, with reaſon, deny the place which the Pope hath choſen, why cannot other Kings and Princes, refuſe to go thither? And if all Princes ſhould deny him their Cities, where would be his power? what a thing would it have beene, if all men had put themſelves into the journey, and being arrived there, ſhould have beene ſhut out of doores by the Duke of *Mantua*? That which happened for *Mantua*, may happen likewiſe for *Vicenza*.

Another Manifeſt publiſhed by the K. of *England*.

The Legats went to *Vicenza* at the time appointed, and the Pope to *Nizza*, in *Provence* at the ſame time, to ſpeak perſonally with the Emperour, and French King, which he gave out was onely to make peace betweene thoſe two great Princes, though his principall end was to draw the Dukedome of *Milan* into his houſe. There the Pope, amongſt other things, deſired them both to ſend their Ambaſſadours to the Councell, and to cauſe the Prelats which were in their traines to go alſo, and to give order that thoſe that were at home in their Kingdomes ſhould begin their voyage thither. For

The Legats go to *Vicenza*.

A Conference in *Nizza* betweene the Pope, French K. and King of *Spaine*.

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giving the order they both excuſed, and ſaid, that firſt it was fit to informe themſelves by the Prelates, of the neceſſities of their Churches; and for ſending thoſe that were preſent, that it would be hard to perſwade them to go before they had conſulted with others. The Pope was ſo eaſily ſatisfied with the anſwer, that it was doubted, whether he more deſired the affirmative, or the negative. Therefore this Treatie being unprofitable, as were all his other in that meeting, hee went his way, and, being at *Genua*, in his returne, received letters from his Legats, who were at *Vicenza*, yet alone without any Prelate; wherefore hee recalled them, and by his Bull, dated the eight of July, prolonged the terme of the Councell untill the next Eaſter day.

The Councel is deferred untill Eaſter.

This yeere, the Pope brake the wiſe patience, or rather diſſimulation, which, for foure yeeres together, hee had uſed towards *England*, and ſent againſt the King a terrible thundering Bull, ſuch as never was uſed by his predeceſſours, nor imitated by his ſucceſſours. Which fulmination, having its originall from the Manifeſts, publiſhed againſt the Councell of *Mantua*, and *Vicenza*, my purpoſe requireth, I ſhould make mention thereof. Beſides, for the underſtanding of many accidents which ſhall be related hereafter, it is neceſſary to repeat this event, with the particulars of it.

The Pope thundereth againſt the K. of *England*.

The King of *England* having denied his obedience to *Rome*, and declared himſelfe head of the Engliſh Church, the yeere 1534. as hath been ſaid in its place, Pope *Paul*, immediately after his aſſumption, was continually inſtigated by the Emperour for his owne intereſts, and by the Court, which thought by that meanes, either to regaine *England*, or ſet it on fire, to fulminate againſt that King, which hee, as a man well experienced in the world, judged would bee to little purpoſe; conſidering, that if the thunders of his predeceſſours never had good ſucceſſe, when they were beleeved and feared by all, there was leſſe hope they could effect any thing, after a doctrine was publiſhed, and received by many, which did condemne them. He thought it wildome to hold a weapon within the ſcabberd, which had no other edge, but what was given by the opinion of thoſe againſt whom it was uſed. But the beheading of the Cardinall of *Rochester* happening in the yeere 1535. the other Cardinals were earneſt in remonſtrating unto him what a ſhame, and how great a danger it was to the Order, which ever was eſteemed moſt ſacred and inviolable, if ſuch an example ſhould bee ſuffered to paſſe. For the Cardinals defend the Popedome boldly with all Princes, becauſe they are aſſured of their lives: which aſſurance, when it ſhall be taken away, and made knowne to the Seculars, that the Cardinals may be juſticed, they ſhould do their buſineſſe with too much feare: Notwithſtanding, the Pope forſook not his reſolution, but found a temper, never uſed by any of his predeceſſors, to lift up the thunderbolt with his hand, and to threaten to ſhoot, yet to hold it without flinging it abroad, and ſo to ſatisfie the Cardinals, the Court, and others, and not to put the Papall authority in hazard. Therefore he framed a Proceſſe and moſt ſevere ſentence againſt that King the thirtieth of Auguſt 1535. and withall ſuſpended the publication, during his pleaſure. Yet ſecretly he let the copie go into the hands of ſome

that

that he knew would cause it to bee delivered to the King, dispersing the rumor of the Bull that was framed, and the suspension, with fame, that very suddenly he would remove the suspension, and come to publication, yet with designe never to proceed so farre. 1538

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And though he wanted not hope, that the King either for feare of the excommunication framed, or by the inclination of his people, or by the satiety of punishments, used against those that disobbeyed his Decree, would induce himselfe, or by the meditation of the Emperour, or French King, (when by reason of the occurrences of the world, he should bee constrained to unite himselfe with either of them) would be induced to yeeld, yet he was principally moved by the forenamed cause, that he might not shew the weakenesse of his weapons, and more confirme the King in his separation. But in the end of three yeeres he changed his purpose, by reason of the provocation which the King seemed to use against him, by sending out Manifests against all his callings of the Councell, and by opposing his actions, though without particular offence of his person, and lastly, by having prosecuted, cited, and condemned S. *Thomas* of *Canterbury*, for a traitour to the Kingdome, with confiscation of goods, whom *Alexander* the third canonized in the yeere 1171. for being slaine in defence of the Ecclesiasticall power and liberty; whose solemne feast the Church of *Rome* doth annually observe: which sentence was executed by taking the bones out of the grave, which were publikely burned by the hangman, & the ashes sprinkled in the river, putting his hands into the treasures, ornaments, & revenues of the Churches dedicated to him, which was to touch a secret of the Popedome, of farre greater importance then the matter of the Councell. Whereunto joyning some hope which he conceived from the conference with the French King, which was, that he would assist the male-contents of *England*, so soone as he was free from the warres with the Emperour, the 17 of December, he brandished the thunder bolt of excommunication, made three yeeres before, and opened his hand to cast it forth, which all this while was ready to do it. The causes alleadged were in substance these. The divorce, obedience taken away, the death of the Cardinall of *Rochester*, and the proceeding against S. *Thomas*. The punishments to the King were, deprivation of his Kingdome, and to his adherents, of whatsoever they possessed, commanding his subjects to deny him obedience, and strangers to have any commerce in that Kingdom, and all to take armes against, and to persecute both himselfe and his followers, granting them their states and goods for their prey, and their persons for their slaves.

The King of *England* sentenceth S. *Thomas Becket*.

The causes of the excommunication, and the punishments.

But how much the Popes Briefe was esteemed, and his commandements observed, the leagues, confederations, peaces, treaties, which by the Emperor, French King, and other Catholike Princes, were made with that King, do evidently declare.

The excommunication was generally contemned.

In the beginning of the yeere 1539. new controversies being raised in *Germany* about Religion, and perhaps by men of bad intentions, who used it but for a pretence, there was an assembly held in *Francfurt*, whither the Emperour sent a Commissioner; and after long disputation there, it was by his consent concluded, the 19. of Aprill, that there should bee a conference 1539

An assembly is held in *Francfurt* about religion.

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in *Noremberg* the firſt of Auguſt to treat quietly and lovingly of Religion, where on the one ſide and the other, beſides the Doctors, other perſons of wiſdome were to be preſent, ſent by the Emperour, King *Ferdinand*, and other Princes, to ſuperintend at the Colloquy, and deale betweene the parties: and what was determined by common conſent, ſhould be ſignified to all the orders of the Empire, and ratified by the Emperor in the next Diet. The Catholikes would have the Pope intreated to ſend alſo ſome perſon to the conference: but the Proteſtants thought it contrary to their proteſtation; and therefore it was not done. This newes of the aſſembly being arrived at *Rome*, the Pope was offended, as well becauſe there ſhould be a treaty about Religion in *Germany*, as becauſe it derogated from the credit of the Councell intimated, though he cared very little to have it celebrated; and more particularly becauſe there was a diſpute to admit of one to bee ſent by him, and in the end his authority wholly rejected. Therefore he ſuddenly diſpatched into *Spaine* the Biſhop of *Monte Pulciano*, whoſe principall meſſage was to perſwade the Emperour not to confirme, yea, rather to annihilate the Decrees of that Diet.

Whereat the Pope was much offended.

He ſendeth a Nuncio to the Emperor.

The Nuncio had a great and long inſtruction, firſt, to complaine grievouſly of the demeanor of *John Veſſalius*, Archbiſhop of *London*, his Commiſſary, who fogetting his oath made to that Sea, and infinite benefits received from the Pope, and the inſtruction given him by the Emperour, had conſented to the demands of the Lutherans, with prejudice of the Apoſtolique Sea, and diſhonour of his imperiall Majeſty. That *London* was corrupted with gifts and promiſes, the Citie of *Ausburg* having given him 250. thouſand Florins of gold, and the King of *Denmark* promiſed him 4. thouſand Florins yeerely, out of the fruits of his Archbiſhoprick of *London*, which was taken from him. That he thought to take a wife, and forſake the Church, and had never entred into holy orders. The Nuncio had commandement to ſhew to the Emperour, that if the things which *London* had granted, were confirmed by him, they would ſhew that he was not a ſonne of the Apoſtolique Sea; and that all the Catholique Princes of *Germany*, complained thereof, and were of opinion that his Majeſty would not confirme them. He gave order alſo to propoſe unto him his intereſts concerning the Dutchie of *Ghelderland*, and the election of the King of the Romans, to move him the more; putting him alſo in minde that he could not have *Germany* at his diſpoſition, by tolerating the Lutheran hereſies, as *London* and others did perſwade. For it is a thing long ſince knowne, that principalities cannot in likelihood be preſerved where Religion is loſt, or where two religions are ſuffered. That this happened to the Emperors of the Eaſt, who having abandoned the obedience due to the univerſall Biſhop of *Rome*, loſt their forces & Kingdoms, that the cunning of the Lutherans was manifeſt, who have proceeded maliciouſly with his Majeſty, and that, under the colour of eſtabliſhing their Religion they do ever procure ſomething elſe. That an example thereof was the Diet of *Spira* in the yeere 1526. of *Noremberg* 1532. and of *Calano* 1534. when the Duke of *Wittenberg* regained the Dutchie, which ſhewed that thoſe commotions of the Landgrave and the Lutherans were not for Religion, but to take that ſtate from the King of the Romans.

A Citie in *Denmark*.

That

That hee ſhould put him in minde that, when he made an accord with the Lutherans, the Catholique Princes would not endure ſuch a diſorder, that his Majeſty ſhould have more power over them then over the Proteſtants, and would think upon new remedies. That there are many other lawfull and honeſt wayes to reduce *Germany*, the Pope being reſolved to afford him all poſſible ayde, according to the proportion of his forces. And when his Majeſty ſhall have well thought thereon, he will finde that theſe capitulations cannot bee approved, without making all *Germany* Lutheran; which were wholly to deprive himſelfe of authority. For that Sect excludeth all ſuperiority, extolling liberty, or rather licence above all. That he ſhould put into the Emperours head to augment the Catholique League, and to take from the Lutherans their adherents, as much as he could, and to ſend as much money as was poſſible into *Germany*, to promiſe, and really to give it to thoſe that follow the Catholique League. That it were good alſo, under colour of Turkiſh affaires, to ſend a competent number of Spaniards or Italians into thoſe parts, lodging them within the territories of the King of the Romans. That the Pope was reſolved to ſend ſome perſon to the Catholique Princes, with money to gratifie thoſe that ſhall be fit for his purpoſe. That he ſhould exhort *Ceſar*, to make ſuch an Edict, as the King of *England* made in his Kingdome, cauſing a rumour to be ſpread cunningly, that his Majeſty negotiated with the ſaid King, to reduce him to the obedience of *Rome*. The Pope gave commiſſion alſo to the ſaid *Monte Pulciano* to complaine to the Emperour, that his ſiſter, Queene *Mary*, Governeſſe of the low Countries, ſecretly favoured the Lutheran part; that ſhee purpoſely ſent men unto them, that, when the Catholique League was to be eſtabliſhed, ſhe wrote to the Elector of *Triers*, that hee ſhould not enter into it, and ſo that good work was croſſed; that ſhe hindred the Lord of *Lavaur* the French Ambaſſadour, from going into *Germany*, to conſult with the King of the Romans, and the Legat of his Holineſſe about Religion: which he did beleeve proceeded not from her owne will, but from the counſell of her bad miniſters.

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The Nuncio complaineth againſt the Emperors ſiſter, Governeſſe of the low Countries.

But becauſe mention is made of the Edict of the King of *England* in matter of Religion, it will not be amiſſe to recount here, how *Henry* the eight in the time of the Diet of *Francfort*, either becauſe he thought to do God ſervice by not permitting innovation of Religion within his Kingdome, or to ſhew conſtancie in what he had wrote againſt *Luther*, or to give the Pope the lie, who laid an imputation upon him in his Bull, that he had publiſhed hereticall doctrine in his Kingdome, made a publike Edict, whereby hee commanded that the reall preſence of the true and naturall body and bloud of our Lord Jeſus Chriſt, under the kinds of bread and wine, there remaining no ſubſtance of thoſe elements, was to be beleeved throughout all *England*, as alſo that Chriſt was wholly contained under the one and the other kinde; that the Communion of the Cup was not neceſſary; that it was not lawfull for Prieſts to marry; that religious men, after their profeſſion and vowes of chaſtity, were bound alwayes to keep them, and to live in Monaſteries; that ſecret and Auricular confeſſion was not onely profitable, but alſo neceſſary; that the celebration of Maſſe even private, was an

The Edict of religion made be K. *Henry* the 8.

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holy thing, which hee commanded ſhould bee obſerved in his Kingdome. He prohibited all to do or teach any thing contrary to theſe Articles, upon paine to be puniſhed as heretiques. It is to be marvelled at, how the Pope, who a little before thundered againſt that King, was conſtrained to prayſe his actions, and to propoſe him to the Emperour for an enſample to be imitated. So a mans proper intereſt makes him commend and blame the ſame perſon.

A conſultation about the Councell.

But the Pope, after he had diſpatched *Monte Pulciano*, ſeeing that by calling the Councell, and after deferring it, though hee entertained the world, yet hee loſt reputation, thought it neceſſary to leave that ambiguous proceeding, which howſoever it had given men ſatisfaction heretofore, yet in progreſſe of time it might produce ſome ſiniſter effect. And hee made a ſecret reſolution, to declare himſelfe, and to forſake ambiguities; and in the conſiſtory, having related what had happened, and propoſed that it was neceſſary to make a conſtant and firme reſolution, hee put the' matter in conſultation. Some of the Cardinals, to deliver themſelves from feare, which every other day amazed them, did not approve the ſuſpenſion, but deſired an expreſſe declaration that there ſhould be no Councell at all, becauſe it appeared not how the difficulties could bee overcome, before there was a reconciliation betweene Princes, a neceſſary meanes, without which there was no hope it could be celebrated. But the wiſer ſort were balanced betweene this and another feare, that there might be Nationall Councels, or other remedies uſed, more offenſive to them then a generall Synod; and therefore the major part gave conſent for the ſuſpenſion during pleaſure, thinking that when it ſhould ſeeme not fit to bring it to effect, it might be continued, by pretending the diſcord between Princes, or ſome other thing; and that if there happened any danger of a Nationall Councel, or of Colloquies, or ought elſe, it might be removed by promoting the Generall Councell, and aſſigning unto it place and time; and afterwards it might be called, or let alone, as time ſhould adviſe. The match was made, and a Bull was framed the thirteenth of June, by which the Councell intimated was ſuſpended during pleaſure of the Pope and the Apoſtolicall Sea.

The Councell intimated is ſuſpended during pleaſure.

But *Monte Pulciano* the Nuncio, who went into *Spaine*, executed his commiſſions with the Emperour; who, either for the cauſe alleadged by the Nuncio, or for ſome reſpects of his owne, declared not himſelfe whether he diſcented or aſſented to the Colloquy, appointed to be held at *Noremberg* in Auguſt. Afterwards, by reaſon of his wives death, and the rebellion of *Gant*, with part of the low Countries, he had occaſion, by pretending affaires of greater importance, to leave the matter in ſuſpence, and ſo the whole yeere 1539. paſſed.

When I ſet my ſelfe to write this Story, conſidering the number of Colloquies, ſome onely intimated, and ſome held, to compoſe the differences in Religion, I doubted whether it was fit to make mention of all, having concluding reaſons for the one part and the other. In the end, conſidering that I have propoſed to my ſelfe to relate all the cauſes of the Councell of Trent, and obſerving that none hath beene intimated or held, but to hinder, or divert, or delay, or to haſten and accelerate the Councell, I reſolved to make mention

mention of every one, especially for the fruit which may be gathered from the knowledge of the notable particulars which happened in them: as in that which was appointed the yeere following, which had his beginning thus, 1540 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1

The Emperour went to the low Countries by the way of *France*, to accommodate those seditions, and *Ferdinand* met him there where one of the most principall businesses conferred of betweene them both, was to finde a way of composition for matters of Religion in *Germany*, which being exactly handled by the body of the Emperours Councell, all did incline to institute a Colloquy herein. 1540

This comming to the eares of *Farnese*, who was Legat there, and had accompanied the Emperour in the voyage (which Cardinall, though a youth, under the age of twenty yeeres, yet had in his company many persons fit for businesse, and amongst others, *Marcellus Cervinus*, Bishop of *Nicastro*, who after was Pope, and called *Marcellus* the second) he opposed this resolution, and treating with the Emperor, *Ferdinand*, and with all those of the Councel, he put them in mind, that the Protestants had beene often dealt withall for peace, beginning ten yeeres since in the Diet of *Ausburg*, but still without effect. And in case any conclusion had beene made, it would have been vaine and fruitlesse. For they dayly change their opinion, not following any certaine doctrine, and have opposed even their owne *Augustan* confession. That they are slippery as Eels; First they were desirous that the abuses and vices should be removed; now they will not have the Papacie amended but extinguished, and the Apostolicall Sea rooted out, and all Ecclesiasticall jurisdiction abolished. And if ever they were petulant, they would be then much more, when the peace was not well confirmed with *France*, and the *Turk* threatned *Hungary*. That there was no hope to perswade them, because the controversies were upon innumerable doctrines. And because there are many Sects among them, it is impossible to accord with all; besides, that the greater part of them hath no other end, but to possesse the goods of others, and bereave the Emperour of his authority. It was true, that the instant Turkish warre perswaded an agreement in Religion, but this was not to be done in particular or Nationall Diets, but in a generall Councell, which might immediately be intimated. For where Religion is in question, no mutation can be made without common consent. That *Germany* is not onely to be respected, but *France*, *Spaine*, *Italy*, and other people, without whose counsell if *Germany* shall make a change, there wil arise a dangerous division of that Province from the rest. That it was a most ancient custome; even from the time of the Apostles, to compose controversies with a Councell onely, and that now all Kings, Princes, and godly men desired it. That peace may now easily be concluded between the Emperor and the King of *France*, and immediatly after a Councel called, and in the mean space indevours may be used to increase the number and power of the Catholike league of *Germany*, which, by intimidating the Protestants, will cause them to submit themselves to the Councell, or at the least they will be enforced by the Catholiques; and when it shall be necessary to resist the *Turk*, the Catholike league being strong, may constraine the Protestants to contribute: which in

Cardinall *Farnese* the Popes Legat disswadeth the Colloquie.

case

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caſe they will not do, it was neceſſary of two evils to chuſe the leſſer, it being a greater fault to offend God by abandoning the cauſe of Religion, then to want the aſſiſtance of one part of a Province. And the rather, becauſe it is not eaſie to judge who are more contrary to Chriſt, the Proteſtants or the *Turks*. For theſe deſire to inthrall our bodies, but thoſe, both bodies and ſoules together. All the diſcourſes and parlies of the Cardinall had for their concluſion, that it was fit to call a Councell, and to begin it that ſame yeere, and not to treat of Religion in the Diets of *Germany*, but to labour or augment the Catholique League, and to make peace with the King of *France*.

The Emperour after much deliberation, concluded that he would labour for a concord, and gave order for a Diet to be held in *Germany*, where *Ferdinand* thought good, inviting the Proteſtant Princes to be there in perſon, and promiſing publike ſecurity unto all. Cardinall *Ferneſe*, hearing of this concluſion, made without his knowledge, went immediatly away, and paſſing by *Paris*, obtained of the King a ſevere Edict againſt the heretikes, and Lutherans, which being publiſhed, was executed in that Citie, and after throughout all *France* with much rigour.

The Legat departeth.

In *Germany* the Diet was called by *Ferdinand* in *Aganoa*, where the Catholique Doctors, and many Proteſtant Preachers and Miniſters met together; and the Elector of *Triers*, the *Palatine*, Duke *Lewis* of *Bavaria*, and *William* Biſhop of *Argentina*, were deputed for mediators betweene the parties. The Proteſtants being required to preſent the heads of the doctrine in controverſie, anſwered that they had given up their cõfeſſion in *Ausburg*, ten yeers ſince, and an Apology in defence of it; that they perſevered in that doctrine, and were ready to give an account thereof unto all men: and not knowing what the adverſaries reprehended, they had no more to ſay, but expected to underſtand from them what it was they eſteemed contrary to truth, for ſo the matter will come to a conference, and themſelves wil not faile to ſet peace before their eyes. The Catholikes took them ſuddenly at their word, and aſſenting to what the others propoſed, inferred that it was fit to eſteem for approved all things paſſed in that Diet, and to account the Decree firme and ſtable which was publiſhed in the Receſſe, and to lay before them the forme of reconciliation begun in that Diet. The Proteſtants, knowing their diſadvantage, in caſe they followed that forme, and the prejudice which that Decree would have inferred, urged for a new forme, and to have all the prejudices taken away. On the other ſide the Catholikes demanded, that in regard all prejudice was to be removed, thoſe things that the Proteſtants had done ſhould bee rectified, and the Church goods taken by them, reſtored. The Proteſtants replyed, that the goods were not taken away, but, by renovation of the true doctrine, were reapplyed to thoſe lawfull and honeſt uſes, unto which they were deſtinated in their firſt inſtitution, from which the Clergie had degenerated, and therefore that it was neceſſary to decide the points of the doctrine before they talked of the goods. And the contentions increaſing, *Ferdinand* concluded that a new forme, not prejudiciall to any, ſhould be inſtituted, that the Doctors that treated on both ſides ſhould be equall in number, and that it ſhould be lawfull for the Pope to ſend his Nuncij thither, and that the place of the Colloquy ſhould be changed, which ſhould begin in

The Diet of *Aganoa* about Religion.

Wormes

Wormes, the eight and twentieth of October next if the Emperour thought good. The Proteſtants accepted the Decree, declaring, that they refuſed not the preſence of the *Nuncy*, but intended not to attribute thereby any primacie to the Pope, nor authority to them. 1540 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1

The Emperour confirmed the Decree, and gave order for the aſſembly, and appointed *Granuel* for his Commiſſioner there: who going thither with his ſonne, the Biſhop of *Arras*, who after was Cardinall, and three Spaniſh Divines, began the Colloquy, and made a very godly diſcourſe, and fit for pacification. A few dayes after, there arrived *Thomas Campeggio*, Biſhop of *Feltre*, Nuncio to the Pope. For his Holineſſe, though hee ſaw that every treaty of Religion in *Germany* was pernicious to his affaires, and therefore had uſed all diligence to break off that conference, yet hee thought it leſſe hurt to give conſent unto it, then ſuffer it to bee done againſt his will. The Nuncio, according to the Popes inſtruction, at his entry, made a diſcourſe, that the quiet of *Germany* was alwayes procured by the Popes, and eſpecially by *Paulus* 3. who for that cauſe, had intimated a generall Councell in *Vicenza*, howſoever he was conſtrained to deferre it, untill another time, becauſe no man went thither, and now was reſolved to intimate it again in a more convenient place: in which, that the matter of Religion might be handled with fruit, hee had granted to the Emperour, that a Colloquy might bee held in *Germany*, which might bee an entrance, to diſpoſe them to the reſolution of the Councell, and had ſent him to bee preſent there, and to aſſiſt. Therefore hee prayed them all to aime at concord, promiſing that the Pope would do whatſoever with piety hee could. There arrived alſo the forenamed Biſhop of *Capo d'Iſtria*, who, though ſent by the Pope, as one who well underſtood the humors of *Germany*, yet came as ſent from *France*, that he might do the Pope better ſervice under another name. Hee cauſed an Oration to be printed, the ſubject whereof was, the unity and peace in the Church, but the ſcope to ſhew that a Nationall Councell, was not the meanes to attaine thereunto. And this he diſtributed amongſt as many men as he could, to interrupt the Colloquy, which had a reſemblance of it. Much time was ſpent, in giving forme to the conference, as well for ſecrecie, as for the number of the Doctors which were to ſpeak. And there were ſome who ſtudiouſly protracted the time, as well for the diligent indevours of the Nuncio *Campeggio*, as the ſecret negotiations of *Vegerius*. Finally it was ordered that *John Ecchius* ſhould ſpeak for the Catholikes, and *Philip Melanchthon* for the Proteſtants, and that the ſubject ſhould be originall ſinne. While theſe things went on in *Wormes*, the Popes Nuncio, reſiding with the Emperour, ceaſed not to perſwade his Majeſty, that the Colloquy would bring forth ſome great ſchiſme, and make all *Germany* Lutheran, and not onely take obedience from the Pope, but weaken his owne alſo. He repeated the ſame conceits which *Monte Pulciano* uſed, to hinder the Colloquy appointed in the Diet of *Franckfort*, and thoſe that were uſed by Cardinall *Farneſe* to hinder that of *Aganoa*. In concluſion, the Emperour, conſidering theſe reaſons, and the advices given him by *Granuel*, of the difficulties which he incountred, thinking to do the work better in his owne perſon, hee reſolved the Colloquy ſhould not proceed. Wherefore *Ecchius* and *Melanchthon*

A Colloquie in *Wormes*. without effect.

To which the Pope ſendeth a Nuncio.

The Pope ſendeth another Nuncio under a falſe name.

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lanctbon having ſpoken three dayes, the conference was interrupted. For letters came from the Emperour, which recalled *Granuel*, and referred the reſt to the Diet in *Ratisbon*.

1541 The Diet of *Ratisbon*.

That began in March 1541. The Emperour was perſonally preſent, with great hope to end all diſcords, and to unite *Germany* in one Religion. For which purpoſe he alſo had deſired the Pope to ſend a Legat, a man learned and diſcreet, with moſt ample authority, that there might be no need to ſend to *Rome* for any thing, but all might bee there immediately determined, which by the Diet and the Legat ſhould be thought convenient, ſaying, that for this end he had yeelded to the great importunity of the Nuncio reſiding with him, to break off the Colloquy of *Wormes*.

Jaſper Contarini the Popes Legat in *Ratisbon*.

The Pope ſent for his Legat *Jaſper* Cardinall *Contarini*, a man much eſteemed for his ſingular honeſty and learning, and put alſo into his company men inſtructed in all the intereſts of the Court, with Notaries to make Inſtruments of whatſoever ſhould be handled or ſpoken: he gave him Commiſſion, that if hee foreſaw that they went about to do any thing which might tend to the diminution of the Papall authority, he ſhould interrupt it, by propounding a generall Councell, the onely and true remedy; and in caſe the Emperour were forced to yeeld to the Proteſtants in any prejudiciall matter, he ought to forbid it, by the Poſtolike authority, and, if it were done, to condemne it, and to declare it voyd, and to leave the Diet, but not the Emperours company.

His inſtruction.

The firſt negotiation with the Emperor.

Being arrived at *Ratisbon*, the firſt thing he had to do with the Emperour, was to excuſe the Pope, that hee had not given that ample authority, and abſolute power which his Majeſty deſired. Firſt, becauſe it is ſo annexed to the very bones of the Papacie, that it cannot bee granted to any other; ſecondly, becauſe neither words nor clauſes are found, by which the authority of determining controverſies of Faith can bee communicated by the Pope, the priviledge of not being able to erre being given to his perſon onely; in thoſe words, *I have prayed for thee, Peter*: But that the Pope had given him all manner of power to agree with the Proteſtants, ſo that they deny not the Principles, which are, the Primacy of the Apoſtolike Sea, inſtituted by CHRIST; the Sacraments, as they are taught in the Church of *Rome*, and what elſe is determined in the Bull of *Leo*, offering in other things to give *Germany* ſatisfaction. And hee deſired his Majeſty not to give eare to the propoſe of any thing not fit to be granted, without the privitie of other Nations, to avoyd all dangerous diviſion in Chriſtendome. It is neceſſary to make particular mention of the things that paſſed in that Diet, becauſe that was the principall cauſe, which induced the Pope not onely to conſent, as before, but to uſe all endevours that the Councell might be celebrated, and which aſſured the Proteſtants, that neither in Councell, nor in any other place, where any Miniſter of the Pope was preſent, they could hope to obtaine any thing.

The firſt action began the fifth of Aprill; and it was delivered in the Emperours name, that his Majeſty, ſeeing the Turk entred into the bowels of *Germany* (the cauſe whereof was the diviſion of the States of the Empire for the difference in Religion) had alwayes ſought a meanes of pacification;

and

and that of the Councell ſeeming unto him moſt commodious, he went purpoſely into *Italy* to treat thereof with Pope *Clement* : and after, not being able to bring it to effect, he returned, and went in perſon to *Rome*, to make the ſame negotiation with Pope *Paul*, in whom he found much readineſſe: But not being able to effect any thing, by reaſon of divers impediments of warre, hee had finally called that Diet, and beſought the Pope to ſend a Legat thither. Now he deſired nothing but that ſome compoſition might bee made, and that ſome ſmall number of godly and learned men might be choſen on either ſide, to conferre upon the controverſies, in friendly manner, without prejudice of either of the parties, and propoſe to the Diet the meanes of concord, that all being conſulted with the Legat, the wiſhed concluſion might be attained. Suddenly there aroſe a controverſie betweene the Catholiques and Proteſtants, about the manner of chooſing thoſe that ſhould treat. Wherefore the Emperour being deſirous that ſome good ſhould be done, demanded, and obteined of either party, power to nominate the perſons, deſiring them to beleeve he would do nothing but for the common good. For the Catholiques he elected *John Eccbius*, *Julius Flugius*, and *John Groperus*; and for the Proteſtants, *Philip Melanctbon*, *Martin Bucer*, and *John Piſtoria*: whom he called to him, and gravely admoniſhed them to abandon all paſſion, and to ayme onely at the glory of God. He made *Frederique*, the Prince Palatine, and *Granuel* Preſidents of the Colloquie, adding unto them ſome others, that all might paſſe with the greater dignity. When the aſſembly was made, *Granuel* publiſhed a book, and ſaid it was given to the Emperor, by ſome godly and learned men, as a direction for the future concord, and that his will was, they ſhould read and examine it, that it might ſerve for an argument and ſubject of what they ought to treat, that that which pleaſed all, might be confirmed, that which diſpleaſed all, might bee corrected, and in that wherein they aſſented not, meanes might be uſed to reduce them to an agreement. The book contained 22 Articles. The creation of man, the integrity of nature, free will, the cauſe of originall ſinne, Juſtification, the Church, her ſignes, the ſignes of the word of God, penance after ſinne, the authority of the Church, the interpretation of the Scripture, the Sacraments, Order, Baptiſme, Confirmation, the Euchariſt, Penance, Matrimony, extreme Unction, Charity, the Eccleſiaſticall Hierarchie, the articles determined by the Church, the uſe, adminiſtration, and ceremonies of the Sacraments, Eccleſiaſticall diſcipline, and diſcipline of the people. It was read and examined, and ſome things were approved, ſome things amended by common conſent, and in others they could not agree. And theſe were, the ninth, of the power of the Church, the foureteenth, of the Sacrament of Penance, the eighteenth of the Hierarchie, the 19. of the articles determined by the Church, the 21 of ſingle life. In theſe they differed, and either party wrote his opinion.

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The firſt action of the Diet in *Ratiſbon*.

The names of the diſputants

A book given to the Emperour as a direction for the future concord.

This being done in the aſſembly of all the Princes, the Emperour required the opinions of them all concerning the things agreed on, and the different opinions of the Collocutors, and withall propoſed the amendment of the ſtate of the Common-wealth, as well Civill as Eccleſiaſticall. The Biſhops rejected abſolutely the Booke of the concord, and whatſoever was done in the Colloquy;

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Colloquy; unto whom the other Electors and Catholike Princes, deſirous of peace, agreed not: and it was concluded, that the Emperor, as advocate of the Church, together with the Apoſtolike Legat, ſhould examine the things agreed on, and if any thing were obſcure, ſhould cauſe it to be expounded, and ſhould treat with the Proteſtants, that concerning the things in controverſie, they ſhould conſent to ſome Chriſtian forme of concord. *Cæſar* imparted all to the Legat, and urged him that the Eccleſiaſticall State ought to be reformed. The Legat, after he had conſidered of all the buſineſſe, anſwered in writing, not more perſpicuouſly then the ancient Oracles; in this manner. That having ſeene the Book preſented to the Emperour, and what was written by the deputies of the Colloquy, as well the explications of either party, as the exceptions of the Proteſtants, it ſeemed that the Proteſtants, differing in certaine Articles from the common conſent of the Church (in which notwithſtanding he deſpaired not, that, with the help of God, they might be induced to agree) nothing ſhould be ordered concerning the reſidue, but referred to the Pope, and the Apoſtolicall Sea, who, either in the generall Councell, or ſome other way, if there ſhall bee cauſe, will define them according to the Catholike truth, with regard unto the times, and what ſhall bee expedient for the Chriſtian Common-wealth, and for *Germany*.

The Legat ſpeaketh like an Oracle.

But for reformation of the Clergie, he promiſed all readineſſe, and, to that end, called into his houſe all the Biſhops, and made them a long exhortation. Firſt for their manner of living, that they ſhould abſtaine from all ſcandall, and appearance of luxury, avarice, and ambition. For their family, that they ſhould underſtand that from it the people made conjecture of the manners of the Biſhop, that, the better to keep their flock, they ſhould remaine in the moſt inhabited places of the Dioceſſe, and have diligent watchmen elſe-where, that they ſhould viſit the Dioceſſes, give the Benefices to honeſt and fit men, ſpend their revenues upon the neceſſity of the poore, flying not onely luxury, but all ſuperfluous pomp, make proviſion of godly, learned, diſcreet, and not contentious Preachers, procure that the yonger ſort be well brought up, becauſe by this meanes the Proteſtants draw all the Nobility unto them. Hee committed this Oration to writing, and gave it to the Emperour, to the Biſhops, and the Princes: which gave occaſion to the Proteſtants to tax the anſwer made to *Cæſar*, together with the exhortation made to the Prelats, alleadging for their motive, that the writing being publiſhed, they ſhould ſeeme to approve it, if they diſſembled the knowledge of it. His anſwer made to the Emperour pleaſed not the Catholikes, becauſe it appeared that he did approve the things agreed on in the Conference.

The exhortation of the Legat *Contarini* made to the Prelats.

But the Emperour related in publike Diet whatſoever was done untill that time, and communicated unto them the writing of the Legat, and concluded, that having uſed all poſſible diligence, he ſaw not what more could be done, but onely to deliberate, whether (ſaving the receſſe of the Diet of *Ausburg*) the Articles agreed on in this conference, ought to be received, as being Chriſtian, nor any more to be diſputed of, at the leaſt untill a generall Councell, which ſhall be held very ſhortly, (of which opinion the Legat ſeemed

The Emperours opinion concerning Religion, to which the Legat doth agree.

med to be) or, in caſe there were no Councell, untill a Diet, where all the controverſies of Religion may be exactly handled. 1541

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The Electors approved for good, and undoubtedly profitable, that the Articles agreed on in the conference, ſhould by all be received, untill the time of the Councell, in which they may be examined againe; or, in caſe that faile, in a Nationall Councell, or Diet, becauſe it would ſerve to make a perfect reconciliation in the Articles, not accorded as yet. But yet they prayed his Majeſty to go on, if there were any hope to make any further agreement in that Diet: and if opportunity ſerved not, they thought it good, that, by his favour, a generall or Nationall Councell, might bee called in *Germany*, as ſoone as might bee, that the union might wholly be eſtabliſhed. The proteſtants made the ſame anſwer, onely declaring themſelves, that as they deſired a free and Chriſtian Councell in *Germany*, ſo they could not conſent to any, where the Pope and his Miniſters, had power to heare and judge the cauſes of Religion. But the Biſhops and ſome few other Catholike Princes, anſwered after another manner; firſt, confeſſing that in *Germany*, and other Nations, there were many abuſes, ſects, and hereſies, which could not bee extirpated without a generall Councell; adding, that they could not aſſent to any change in Religion, ceremonies, and rites, ſeeing that the Popes Legat offereth a Councell within a ſhort time, and that his Majeſty will treat with his Holineſſe thereof. But in caſe the generall Councell could not be celebrated, they deſired that the Pope and Emperour would ordaine a Nationall Councell in *Germany*; which if they would not do, another Diet ſhould be aſſembled, to root out the errours; and that they were reſolved to adhere to the old Religion, as it is contained in the Scripture, Councels, doctrine of the Fathers, and alſo in the Imperiall *Receſſes*, eſpecially in that of *Ausburg*. That they will never conſent to receive the Articles accorded in the Colloquie, becauſe ſome of them are ſuperfluous, as are the 4. firſt, and becauſe there are words in them, not conformable to the cuſtome of the Church; beſides ſome poſitions, which are partly damnable, and partly to be tempered; and becauſe the Articles accorded, are of leſſe moment, and thoſe of conſequence remaine in controverſie; and becauſe the Catholikes of the Colloquie had granted too much to the Proteſtants, whereby the reputation of the Pope, & the Catholike ſtates was wounded. They concluded it was better the acts of the Colloquie were left to their place, and whatſoever belonged to Religion, deferred to a generall Councell, or Nationall, or a Diet. Not the opinion only of the Catholikes, that the Emperours propoſition was too advantagious for the Proteſtants, cauſed them to make this anſwer, but alſo becauſe the three Catholike Doctors of the Colloquie diſſented amongſt themſelves.

The anſwer of the Electors.

The anſwer of the Proteſtants.

The anſwer of the BB. and of the Catholike Princes.

But the Legat underſtanding that the Emperour had named him, as conſenting to the eſtabliſhment of the things accorded, as well for feare, as at the inſtance of the Eccleſiaſtikes of the Diet, he went to the Emperour and complained, that his anſwer was ill interpreted, and that he was blamed for having given conſent, that the things accorded, ſhould be tolerated untill the Councell; that his minde was, that nothing ſhould be reſolved on, but all ſent to the Pope, who promiſed by the faith of a good Paſtour, and Univerſall Biſhop, that all ſhould be determined by a generall Councell, or

The Legat complaineth that his anſwer was miſtaken.

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by ſome other way, equivalent, ſincerely, and without paſſion, not haſtily, but maturely, alwayes ayming at the ſervice of God. That his Holineſſe had to the ſame end, in the beginning of his Papacie, ſent letters and *Nuncij* to the Princes, to celebrate the Councell, and after did intimate it, and ſent his Legats to the place; and if he had endured ſo many treaties of Religion in *Germany*, with ſmall reverence of his authority, to whom onely it appertaineth to make them, it was upon his Majeſties purpoſe, and promiſe that all ſhould be for the beſt: that it was unreaſonable, that *Germany* ſhould aſſume that to her ſelfe, with injurie to the Apoſtolike Sea, which belongeth to all nations of Chriſtendome. Wherefore the Popes clemencie was no longer to be abuſed, by concluding that in a Diet, which belongeth to him, and the Church univerſall; but ſaid, that the book, and all the acts of the Colloquie, together with the opinions of both parties, was to be ſent to *Rome*, and the determination of his Holineſſe to be expected. And not ſatisfied with this, he publiſhed a third writing, in which he ſaid, that his writing given to the Emperour, concerning the treaty of the Colloquie being diverſly interpreted, ſome expounding it, as if he had conſented to the Articles accorded of, untill the generall Councell, and others underſtanding that he had referred both theſe, and all other things to the Pope, to the end there may remaine no doubt herein, he declareth that in the writing he had no intention to decide any thing in this buſineſſe, nor that any Article ſhould be received or tolerated untill the future Councell, and leaſt of all did then decide or define them, but had referred the whole treaty, and all the Articles thereof unto the Pope, as he did referre them ſtill. Which having declared to the Emperour by word, he would alſo declare and confirme it to the whole world in writing.

And hee was not contented with this, but conſidering that all the Catholike Princes, even the Eccleſiaſtikes, did agree in demanding a Nationall Councel, and that, in his inſtruction, he had ſtraight charge from the Pope to oppoſe himſelfe when that ſhould be urged, though they would do it with his authority, and with the preſence of the Apoſtolike Legats, to ſhew what danger it would be to mens ſoules, and injury to the Popes authority, from whom would be taken the power which God hath given him, & granted to one Nation; to put the Emperor in mind how himſelf being in *Bolonia*, deteſted a Nationall Councel, knowing it to be pernicious to the Imperial authority, becauſe the ſubjects, incouraged by ſeeing power given them to innovate in matter of Religion, would think to do the like in the temporall ſtate, and that his Majeſty, after the yeere 1532. would never have an Imperiall Diet celebrated in his preſence, leſt he ſhould give occaſion of demanding a Nationall Councell: he treated moſt ſeriouſly with the Emperour, and with every one of the Princes, and beſides publiſhed a writing addreſſed to the Catholikes. Hee ſaid therein that hee had diligently conſidered what a prejudice it would be, if the controverſies of doctrine ſhould bee referred to the Councell of a Nation, and thought it his duty to admoniſh them, that they ſhould by all meanes remove that clauſe, for that it was moſt manifeſt, that queſtions of faith could not be determined in a Nationall Councell, becauſe it concerned the Univerſall ſtate of the Church, and if any thing

The Legat publiſheth a writing to diſſwade all treaties about Religion in a Nationall Councell.

thing were determined therein, it would be voyd and of no force. And, as in not celebrating ſuch a Councell (as hee was perſwaded they would not) they ſhould do a thing moſt acceptable to his Holineſſe, who is head of the Church, and of all Councels; ſo the celebration of it would bee moſt offenſive to him. That it was a cleere caſe, that by this meanes greater ſeditions would ariſe in matter of Religion, as well in other nations, as in that moſt noble Province. That he would not omit this duty, both to obey the inſtruction of his Holineſſe, and not to be wanting to the charge of Legation layd upon him. 1541 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1.

The Princes anſwered this writing of the Legat, that it was in his power to remedy all the inconveniences which might ariſe, by perſwading his Holineſſe, that a generall Councell might be intimated and celebrated without any more procraſtination. That by this meanes all occaſion of a Nationall Councell (which all the States of the Empire deſired and prayed for) would be removed. But if the generall Councell, ſo often promiſed, and laſt of all by himſelfe, were not brought to effect, the manifeſt neceſſity of *Germany* required, that the controverſies ſhould be determined in a nationall Synod, or in an imperiall Diet, with the aſſiſtance of the Popes Legat. The Proteſtant Divines anſwered alſo in a long writing, and ſaid, that neither greater ſeditions, nor any at all could ariſe, when the controverſies of Religion ſhall be compoſed according to the word of God, and manifeſt vices corrected according to the doctrine of the Scripture, and the undoubted Canons of the Church. That to determine of faith hath never beene formerly denied to Nationall Councels, becauſe CHRIST hath promiſed his aſſiſtance, where two or three ſhall be aſſembled in his Name. That the number was great, not onely of Nationall Councels, but even of a very few Biſhops, which have determined the controverſies, and ordered the manners of the Church in *Syria*, *Greece*, *Affrica*, *Italy*, *France*, and *Spaine* againſt the errours of *Samoſatenus*, *Arrius*, the *Donatiſts*, *Pelagius*, and other heretiques; whoſe determinations cannot be called voyd, of no force, and vaine, without impiety. That it hath beene granted to the Sea of *Rome* to be the firſt, and to the Pope to have the chiefeſt authority amongſt the Patriarks; but that it is not found in any Father, that hee hath beene called head of the Church, or of the Councels: CHRIST onely is head; *Paul*, *Apollos*, and *Cephas* are but Miniſters of the Church. That what may be expected from *Rome*, the diſcipline there obſerved ſo many ages, and the tergiverſation to celebrate a lawfull Councell, do declare.

The anſwer of the Princes to the writing.

The anſwer of the Proteſtant Divines.

But the Emperour, after long diſcuſſion, the 28. of July made the Receſſe of the Diet, remitting the whole action of the Colloquy unto the generall Councell, or Nationall Synod of *Germany*, or a Diet of the Empire. He promiſed to go into *Italy*, and to treat with the Pope for a Councell; which if he could not obtaine, either generall or Nationall, he would intimate a Diet of the Empire within eighteene moneths, to ſettle the matters of Religion, and be a meanes that the Pope ſhould ſend thither a Legat. He commanded the Proteſtants to receive no new opinions, but thoſe that were agreed on, and the Biſhops to reforme their Churches. Hee commanded that the Monaſteries ſhould not bee deſtroyed, nor the goods

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of the Church usurped, nor any man sollicited to change Religion. And, to give the Protestants greater satisfaction, hee added, that, concerning the doctrines not as yet accorded, he prescribed them nothing; but that they ought not to destroy the Cloysters of the Monks, but reduce them to a holy and Christian amendment, that the Ecclesiasticall goods should not be usurped, but, left to the ministers, without regard of diversity of Religion: that no man should be moved to change his Religion, but those received who change it willingly. He suspended also the Recesse of *Ausburg*, for as much as concerned Religion, and the things depending thereon, untill the controversies were determined in a Councell or Diet.

A conference betweene the Pope and Emperour in *Lucca*.

After the Diet was ended, *Cæsar* passed into *Italy*, and discoursed with the Pope in *Lucca*, concerning the Councell, and the Turkish warre; and concluded that the Pope should send a Nuncio into *Germany*, to take resolution both in the one matter and the other, in the Diet which should be held in *Spira* in the beginning of the next yeere, and that the Councell should bee held in *Vicenza*, as was before appointed. The Pope signified the conclusion to the Senate of *Venice*, who thought not fit, for divers respects, that so great a multitude should meet in the Citie, and should treat of the Turkish warre, as certainely they would have done, either with a purpose to effect it, or at the least to make a faire shew. Whereupon they answered, that, the case being altered by reason of an accord which they lately had made with the Turk, they could not continue in the same opinion, because *Soliman* would suspect that they moved the Christian Princes to conspire against him. Hereupon the Pope was constrained to alter his deseigne. But the Cardinall *Contarini* was much calumniated in the Court of *Rome*, where an opinion arose, that he was somewhat affected to Lutheranisme; and those that spake least hurt of him, said, that he opposed not as much as hee ought, and that he had put the Popes authority in hazard. The Pope also distasted his service, though he were mightily defended by the Cardinall *Fregoso*. But at his returne to his Holinesse, whom hee found in *Lucca* expecting the Emperour, he rendred an account of his Legation, and gave absolute satisfaction.

The Venetians will not suffer the Councell to be held in *Vicenza*.

The Legat *Contarini* was susp ted of Lutheranisme.

1542 *John Morone* is sent Nuncio to the Diet of *Spira*.

The yeere 1541. ended thus: and in the next the Pope sent *John Morone*, Bishop of *Modena*, to *Spira*, where the Diet was held in presence of *Ferdinand*: who, according to his commission, declared, that the Popes minde concerning the Councell, was the same as before; that is, that it should one day bee celebrated; that hee had suspended it by *Cæsars* consent, to make way first to some concord in *Germany*: but seeing this to bee in vaine, he returned to his former opinion, not to deferre the celebration of it. But that he could not consent to make it in *Germany*, because he meant to bee there in person, and that his age, and length of the way, and so great a change of the ayre hindred his going into that Countrey. And that it seemed not more commodious for other Nations. Beside, that there was a great probability to feare, that the differences could not be handled without commotions. Therefore, that *Ferrara*, *Bolonia*, or *Piacenza* (all great and most opportune Cities) seemed to him more fit. But in case they liked them not, hee was contented to call it in *Trent*, a City at the Confines of *Germany*. That his

his will was to begin it at Whitſontide, but for the ſtraightneſſe of the time he had prorogued it to the thirteenth of Auguſt. He prayed them all to be preſent there, and, laying aſide all hatred, to handle the cauſe of God with ſincerity. *Ferdinand*, and the Catholike Princes thanked the Pope, and ſaid, that, not being able to obtaine a fit place in *Germany*, as *Ratiſbon* or *Collen*, they were contented with *Trent*. But the Proteſtants would not agree either that the Councell ſhould be intimated by the Pope, or that *Trent* ſhould bee the place, which was the cauſe why nothing was determined in that Diet concerning the Councell. 1542 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1.

Trent is named for the place of the Councell; but the Proteſtants would not conſent.

Howſoever, the Pope ſent out a Bull of the intimation, the two and twentieth of May this yeere; wherein, having declared his deſire to provide againſt the evils of Chriſtendome, he ſaid, he had alwayes thought upon the remedies, and finding none more fit then a Councell, hee was conſtantly reſolved to call it: and, making mention of the Convocation at *Mantua*, then of the ſuſpenſion, after of the Convocation at *Vicenza*, and of the other ſuſpenſion made in *Genua*, and finally of that other during pleaſure, hee went on to ſhew the reaſons that induced him to continue the ſame ſuſpenſion untill then. Theſe were, *Ferdinands* warre in *Hungary*, the rebellion of *Flanders* againſt the Emperour, and the things that happened in the Diet of *Ratiſbon*, expecting a time appointed by God for this work. But conſidering in the end, that every time is acceptable to his divine Majeſty, when holy things are handled, he reſolved to expect no other conſent of the Princes; and becauſe hee could not have *Vicenza*, being willing to give ſatisfaction to *Germany* concerning the place, and underſtanding they deſired *Trent*, though a Citie more within *Italy* ſeemed to him more commodious, yet his fatherly charity inclined his will to yeeld to their demands, and hee choſe *Trent* to celebrate there an Oecumenicall Councell the firſt of November next; and that he interpoſed that time, that his Decree might be publiſhed, and the Prelats have time to arrive at the place. Therefore, by the authority of the Father, the Sonne, and the Holy Ghoſt, and the Apoſtles *Peter* and *Paul*, which himſelfe exerciſeth on earth, by the counſell and conſent of the Cardinals, all ſuſpenſions being removed, hee intimateth an holy, Oecumenicall, and generall Councell in that Citie, a fit place, free, and opportune for all Nations, to be begun the firſt of that moneth, proſecuted, and ended: calling all Patriarches, Arch-biſhops, Biſhops, Abbats, and thoſe who by law or priviledge, have voyce in generall Councels, and commanding them by vertue of the Oath made to him and the Apoſtolike Sea, and by holy obedience, and under the puniſhments, by law or cuſtome to be inflicted upon the diſobedient, to be there in perſon, or, in caſe they ſhall bee hindred, to make faith of the hinderance, or ſend proctors; praying the Emperour, the moſt Chriſtian King, and all other Kings, Dukes, and Princes, to be perſonally preſent, or, in caſe they cannot, to ſend Ambaſſadours, men of gravity and authority, and to cauſe the Biſhops and Prelats of their Kingdomes and Provinces to go thither: deſiring further of the Prelats and Princes of *Germany*, for whoſe ſake the Councell is intimated in the place they wiſhed, that the things may be handled which belong to the truth of Chriſtian Religion, to the correction of manners, to the

The Pope publiſheth the Bull of the intimation.

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peace and concord of Chriſtian Princes and people, and oppreſſion of the Barbarians and Infidels.

The Bull was preſently ſent from *Rome* to all Princes, but went not forth in a fit time. For *Francis* the French King, having in July denounced warr, in threatning termes, againſt the Emperour, and publiſhed it by a book which he ſet forth, he made it at the ſame inſtant in *Brabant*, *Lucemberg*, *Roncigli-one*, *Piemont*, and *Artoiſe*.

The French King maketh warre againſt the Emperor.

The Empeour excepteth againſt the Bul, and complaineth of the French King.

The Emperour, having received the Bull of the Councell, anſwered the Pope; that he was not ſatisfied with it. For having never refuſed any paines, danger, or coſt, that the Councell might be called, and contrarily the French King having alwayes endeavoured to hinder it, it ſeemed ſtrange unto him that they were compared and made equall in the Bull; and, rehearſing all the injuries which he pretended to have received from the King, added alſo, that in the laſt Diet at *Spira*, he had laboured by his Ambaſſadours to cheriſh the diſcords of Religion, by promiſing friendſhip and favour to either party. In fine, he referred it to his Holineſſe to conſider, if the actions of that King did ſerve to remedy the miſchiefes of the Chriſtian Common-wealth, and to begin the Councell, which he did ever croſſe, for his private gaine, and had conſtrained him, who did perceive it, to finde a way to reconcile the differences of Religion. Therefore, in caſe the Councell ſhall not be celebrated, that his Holineſſe ought not to blame him, but the King, and denounce warre againſt him, if he meant to aſſiſt the publike good: becauſe this is the onely way, to call the Councell, eſtabliſh Religion, and regaine peace.

The French King waxeth cruell againſt the Proteſtants, to free himſelfe from the imputations laid upon him by the Emperour.

The King, preſaging what imputations would bee laid upon him, for making a warre to the hurt of Religion, and hindrance of the ſervice of God, which might be expected from the Councell, prevented it by publiſhing an Edict againſt the Lutherans, commanding the Parliaments to execute it inviolably, with ſevere charge that all ſhould be appeached, who had books differing from the Church of *Rome*, that made ſecret conventicles, that tranſgreſſed the commmandements of the Church, & eſpecially, that obſerved not the doctrine of meats, or prayed in any tongue but the Latine; and commanded the Sorboniſts to be diligent ſpies againſt them. Afterwards underſtanding the Emperours cunning, who aſſayed to incite the Pope againſt him, he cauſed the Lutherans to be really proceeded againſt, and commanded that a forme to diſcover and accuſe them, ſhould be inſtituted in *Paris*, propoſing puniſhments to the concealors of them, and rewards to the delators. Afterwards having full notice what *Cæſar* had written to the Pope, he wrote alſo unto him a long apologie for himſelfe, nd an invective againſt the Emperour, upbraiding him with the ſurpriſe and ſack of *Rome*, and with the deriſion added to the loſſe, by making proceſſions in *Spaine* for the Popes delivery, whom himſelfe kept priſoner. Hee diſcourſed of all the offences betweene himſelfe and the Emperour, and laid all the blame on him. He concluded that it could not bee aſcribed to him, that the Councell of *Trent* was hindred or foreſlowed, becauſe he gained nothing by it, and that this was farre from the examples of his anceſtors, by whoſe imitation he uſed all endeavours to preſerve Religion, as the edicts and executions made in *France* did very well demonſtrate. Therefore hee prayed his Holineſſe, not to beleeve

He writeth alſo to the Pope againſt the Emperour.

leeve the calumnies, and to assure himselfe that hee should finde him ready to assist him in all occasions, either of his owne, or of the Church of *Rome*. 1542 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1

The Pope not to prejudice the office of a common Father, whereof his predecessours did ever make ostentation, sent Legats to both the Princes, to mediate a pacification, Cardinall *Contarini* to the Emperour, and *Sadoletus* to the French King, to pray them to forget private injuries, for the publique cause, and to be reconciled, that their discords may not hinder the peace of Religion. To Cardinall *Contarini*, who immediatly dyed, he substituted Cardinall *Visæus*; whereat the Court marvelled, because hee was not gracious with the Emperour, to whom he was sent. And though the war waxed hot in so many places, yet the Pope thinking that he wronged his reputation if he went not on with the Councell, the 26. of August, this yeere 1542. sent his Legats to *Trent*, to the Synod which he had intimated, *Peter Paul Parisius*, *John Morone*, and *Reginald Poole*, the first as a learned, and practised Canonist; the second, as a man fit for negotiation, the third, to shew that, howsoever the King of *England* was alienated from the subjection of *Rome*, yet the Kingdome had a great part in the Councell. To these he dispatched the mandat of the Legation, commanding them to go thither, and to entertaine the Prelats and Ambassadours who came unto them, without making any publike act before they had received instructions, which hee meant to send them in time convenient.

The Pope sendeth Legats to mediate a pacification.

Cardinal *Contarini* dieth.

The Pope sendeth 3. Legats to *Trent*. 1542

The Emperour also understanding the deputation of the Legats, though as the case did then stand, he hoped for no good, yet that the Pope might do nothing to his prejudice, he sent thither for his Ambassadours, *Don Diego*, his resident in *Venice*, and *Nicholas Granuel*, together with his Sonne *Anthony*, Bishop of *Arras*, and some few Bishops of the Kingdome of *Naples*. The Pope, besides his Legats, sent thither some Bishops, whom he esteemed most faithfull, with order not to make too much hast in their journey. As well the Popes men as the Emperours, arrived at the time appointed. These presented to the Legats and the Emperours mandat, and desired that the Councell should be opened, the businesse begun. The Legats make delay, and said, that it would be a dishonour to the Councell, to begin it with so small a number, especially where Articles of so great importance were to bee handled, as were those which the Lutherans did question. The Imperialists replied, that the matter of reformation might well bee handled, which was more necessary, and not subject to so many difficulties. The others alleadged, that it must be applyed to the use of divers Nations, so that the assistance of all was more necessary therein. In fine they passed to protestations, to which the Legats not answering, but referring the answer to the Pope, no conclusion at all was made.

The Emperor sendeth Ambassadors and Prelats to *Trent*, and so doth the Pope, but the Councell doth not begin.

The end of that yeere approching, the Emperor gave order to *Granuel* to go to the Diet, which was to be held in *Noremberg*, in the beginning of the next, and to *Don Diego* to remaine in *Trent*, and to labour that the Councel should begin, or, at the least, that those that were assembled should not depart, that in the Diet he might make use of that shadow of the Councel. In *Noremberg* *Granuel* proposed the warre against the Turks, and that the Emperor might bee

Granuel is sent to the Diet in *Noremberg*, and *Don Diego* remaineth in *Trent*.

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bee aſſiſted againſt the French King. The Proteſtants replied, demanding that the differences of Religion might bee compoſed, and the oppreſſions which the Judges of the Chamber uſed againſt them under other pretences, though indeed for that cauſe, might be taken away. *Granuel* anſwered, that it neither could, nor ought to be done in that place and time, becauſe a Councell was aſſembled in *Trent* to that end. But the excuſe was in vaine, becauſe the Proteſtants approved not the Councell, and ſaid plainely, that they would not be there. The Diet ended without concluſion, and *Don Diego* returned to his Ambaſſage at *Venice*, though the Legats intreated, that to give reputation to the buſineſſe, he would entertaine himſelfe there, untill they received anſwer from the Pope.

The Proteſtants refuſe to go to *Trent* and *D. Diego* returneth to *Venice*.

The Emperours Ambaſſadour being gone, the Biſhops of the Empire followed, and all the others, having leave to depart under divers colours; at the laſt, the Legats, after they had beene there ſeven moneths, without doing any thing, were recalled by the Pope. And this was the end of that Congregation. The Emperor, being parted from *Spaine* by ſea to go into *Germany* by the way of *Italy*, the Pope reſolved to ſpeak with him ſome where, and deſired it ſhould be in *Bolonia*. And to this end he ſent *Peter Aloiſius* his ſonne to *Genua*, to invite him. But becauſe his Majeſty would not go out of his way, nor loſe time in his voyage, he ſent the Cardinall *Farneſe* to meet him, and pray him to go by the way of *Parma*, where the Pope might expect him. But after, there being difficulty how the Emperour might enter into

The Legats being left alone were recalled.

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The Pope and Emperour met in *Buſſeto*.

that Citie the twenty one of June 1543. they met in *Buſſeto*, a Caſtle belonging to the *Palavicini*, ſcituate upon the river *Tarus*, betweene *Parma* and *Piacenza*. The ends of them both ſuffered not that the buſineſſe of the Councell, and of Religion ſhould be the principall treaty betweene them. But the Emperour being wholly bent againſt the French King, laboured to incite the Pope againſt him, and to have money from him for the warre. The Pope ſerving himſelfe upon this occaſion, was wholly ſet upon the gaining of *Milan* for his Nephewes; wherein he was aſſiſted by *Margarite*, baſtard daughter to the Emperour, married to *Octavius Farneſe*, the Popes Nephew, and in that reſpect, made Dutcheſſe of *Camerino*. The Pope promiſed the Emperour to combine with him againſt the French King, to make many Cardinals of his nomination, to pay him for ſome yeeres 150000. crownes, leaving alſo in his hands the Caſtles of *Milan* and *Cremona*. But becauſe the Imperialiſts required a million of ducats for the preſent, and another million upon ſhort dayes of payment, nothing could be concluded: and in regard the Emperour could not longer tarry, it was agreed to continue the treaty by meanes of the Popes Miniſters, who would follow the Emperour. *Cæſar* ſhewed he was ſatisfied with the Councell, that by the ſending of Legats, and aſſiſtance of thoſe few Prelats, the Catholikes of *Germany* at the leaſt had knowne his ready minde: and, becauſe the impediments might be imputed to the French King, he concluded that the remdy was not to be thought upon, untill it did appeare how the warre proceeded. They parted with great demonſtrations of mutuall ſatisfaction; yet the Pope miſtruſted the Emperour, and from that time turned his mind toward the French King.

The Pope ſeeketh to gaine *Milan*.

He miſtruſts the Emperour and turneth to the French King.

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But while he was thus doubtfull, the league betweene the Emperour and the King of *England* against *France*, was published, which constrained the Pope wholly to alienate himselfe from him. For hee saw how much that league prejudiced his authority, being contracted with one excommunicated, anathematized by him, cursed, destinated to eternall damnation, a schismatique, deprived of his Kingdome and dominions, whose confederation made with whomsoever was void, against whom also all Christian Princes, were bound by his commandement to take armes, and, which most imported, that still remaining more contumacious, and openly despising his authority, this evidently shewed to the world that the Emperour bare no respect unto him, neither spirituall nor temporall, and gave example to all, to make no account of his authority. And the affront seemed to him the greater, because *Clement*, who might easily have temporized in that cause, to please the Emperour, and for his interests, had proceeded against that King, who otherwise was well affected, and deserved well of the Apostolike Sea. To weigh downe these offences, the Pope put in the other balance, that the French King had made so many lawes and edicts before named, to preserve Religion and his authority. Unto which was added, that the Parasian Divines the first of August, assembling the people by the sound of a Trumpet, published five and twenty heads of Christian doctrine, proposing the bare conclusions and determinations, without adding reasons, perswasions, or grounds, but onely prescribing, as it were by authority, what they would have beleeved; which were printed, and sent through all *France*, confirmed by the Kings letters, under most grievous punishments, against whosoever spake or taught otherwise, with another new Decree to make inquisition against the Lutherans. These things the rather pleased the Pope, because he knew the King did them, not so much for the reason related before, that is, to justifie himselfe to the world that he made not warre with the Emperour to favour the Lutherans doctrine, nor to hinder their extirpation, but principally to please him, and for reverence of the Apostolicall Sea.

A league betweene the Emperor and King of *England*.

The Pope was much offended with the league.

But the Emperour knowing the Popes complaints, answered, that the French King having made a League with the Turk to the prejudice of Christians (as the siege of *Nizza* in *Provence*, made by the Ottoman armie, guided by *Polinus* the Kings Ambassadour, and the spoiles taken in the rivers of the Kingdome, well shewed) it was lawfull for him to use for his defence, the help of the King of *England*, a Christian, though he acknowledge not the Pope; as also, by the same Popes leave, himselfe and *Ferdinand* used the assistance of the Protestants, more averse from the Apostolike Sea then that King; that the Pope, understanding the League of the French King with the Turk, should have proceeded against him. But he saw well what difference was made. For the Turkish armie, which had so much damnified all the Christians wheresoever it went, passed friendly by the Popes rivers, yea, going to *Ostia* to take in the fresh water on S. *Peters* day at night, for which all *Rome*, was in confusion, the Cardinall of *Carpi*, who commanded in the Popes name that was absent, put them out of feare, being secure by the intelligence which he had with the Turks.

The Emperours answer to the Popes complaints.

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The treaty about the Councell began againe in the Diet of *Spira*.

The war and theſe complaints put to ſilence the treaties about the Councell for this yeere, which, the next 1544. returned into the field, and began in the Diet of *Spira*, where the Emperour rehearſing the paines which he formerly took to remedy the diſcords in religion, & finally the care & diligence uſed in *Ratisbon*, he put them in mind how, it not being then poſsible to compoſe the controverſies, all was finally referred to a general or National Councell, or a Diet, and that afterwards the Pope, at his inſtance, had intimated the councel, where himſelf reſolved to be in perſon, & would have performed it if the war of *France* had not hindred him. But now in regard the diſcord in religion remaineth the ſame, & is accompanied with the ſame inconveniences, it is not time to deferre the remedy any longer; for which he gave order they ſhould conſider, and propoſe to him what way they thought to be beſt. The buſineſſe of religion was much conſidered on. But becauſe the affaires of the warre preſſed them more, it was referred to the Diet, which was to be celebrated in December, and in the meane ſpace, a decree was made, that the Emperour ſhould give charge to ſome honeſt and learned men to write a form of reformation, & that all the Princes ſhould do the ſame, that all being conferred together, that might be determined in the Diet by common conſent, which was to be obſerved untill the future generall Councell, to be held in *Germany*, or untill a Nationall. In the meane ſpace that all ſhould remaine in peace, without raiſing any tumult for Religion, and the Churches of the one and the other ſhould enjoy their goods. This Receſſe did not generally pleaſe the Catholikes; but ſome of them, becauſe they inclined to the Proteſtants opinion, approved this middle way. Thoſe that were not contented, ſeeing their number to be ſmall, reſolve to endure it.

The Popes diſdaine againſt the Emperour is increaſed.

But the warre went on ſtill; and the Popes diſdaine conceived for the league with *England*, did wax greater, for that the Emperour had never aſſented to any of thoſe maine and ample matches offered him by the Cardinall *Farneſe*, whom he ſent Legat with him into *Germany*, concerning the grant of the Dutchie of *Milan* to the Family of the *Farneſi*; and, that being to aſſiſt in the Diet of *Spira*, he would not ſuffer the Cardinall Legat to follow him thither for feare of offending the Proteſtants. And finally, conſidering the Decree made in the Diet, ſo prejudiciall to him and the Apoſtolique Sea, he was more offended, becauſe he ſaw his hopes loſt, and his authority and reputation much diminiſhed, and judged it neceſſary to ſhew he was ſenſible of it. And though on the other ſide he conſidered that his party in *Germany* was weakened, and was counſelled by his moſt inward friends to diſſemble; yet finally, being aſſured, that by declaring himſelfe openly againſt *Cæſar*, he did more ſtraitly binde the French King to maintaine his reputation, he reſolved to begin from words to take occaſion to paſſe to deeds, as the conjunctures ſhould comport.

The Pope writeth a long angry letter to the Emperour.

And the fifth of Auguſt he wrote a great long letter to the Emperor; the ſubſtance whereof was; That having underſtood what decrees were made in *Spira*, his duty and fatherly charitie did inforce him to tell him his opinion, that he might not follow the example of *Ely* the Prieſt, whom God ſeverely puniſhed for his too much indulgence towards his ſonnes. That the Decrees of *Spira* were dangerous for the Emperours ſoule, and extreamly,

ly troubled the Church; that he ſhould not violate the rules obſerved by Chriſtians, which commanded, that in the cauſe of Religion, all ſhould be referred to the Church of *Rome*: and yet hee, not eſteeming the Pope, who onely, by the law of God and man, hath power to call Councels, and to decree in ſpirituall matters, was willing to think of aſſembling a Generall or Nationall Councell; and hath ſuffered Idiots and Heretiques to judge of Religion: hath made Decrees concerning ſacred goods, reſtored to honour the rebels of the Church, whom hee had condemned by his owne Edicts: that he is willing to beleeve that he hath not done theſe things by his owne inclination, but by the pernicous counſell of thoſe that beare ill will to the Church of *Rome*; and that he complaineth of this, that he hath yeelded unto them; that the Scripture is full of examples of the wrath of God, againſt the uſurpers of the office of the High Prieſt, of *Vzza*, *Dathan*, *Abiram*, and *Core*, of King *Ozias*, and others; that it is not a ſufficient excuſe to ſay, the Decrees are but temporary, untill the Councell onely: For though the thing done be holy, yet in regard of the perſon that did it, it not belonging to him, it is wicked; that God hath alwayes exalted thoſe Princes, that have beene devoted to the Sea of *Rome*, Head of all Churches, *Conſtantine*, the *Theodoſij*, and *Charles* the Great: and contrarily hath puniſhed thoſe that have not given due reſpect unto it. Examples hereof are *Anaſtaſius*, *Mauritius*, *Conſtans* the 2. *Philip*, *Leo*, and others; and *Henry* the 4. was for this cauſe chaſtiſed by his owne ſonne; as alſo *Frederick* the 2. by his: And not Princes onely, but whole Nations have beene puniſhed for it; the Jewes for putting to death Chriſt the Sonne of God; the Grecians for having many wayes contemned his Vicar: which things he ought the more to feare, becauſe he is deſcended from thoſe Emperours, who have received more honour from the Church of *Rome*, then they have given it. That he commendeth him for deſiring the amendment of the Church, but withall doth adviſe him to leave the charge thereof to him, to whom God hath given it. That the Emperour is a Miniſter, but not a Governour, nor an Head. He added, that he deſired the reformation, and hath declared it often by intimating the Councell, whenſoever any ſpark of hope hath appeared that it might be aſſembled, and though in vaine untill then, yet he had not been wanting to his duty, deſiring much a Councell, which is the onely remedy againſt all miſchiefes, as well for the generall good of Chriſtendome, as the particular of *Germany*, which hath more need thereof. That it hath been intimated already, though deferred untill a more commodious time, by reaſon of the warres. That it belongeth to the Emperour himſelfe, to give way that it may bee celebrated; by making peace, or deferring the warre, while matters of Religion are handled in the Councell. That he ſhould obey theſe fatherly commands, exclude from the Imperiall Diets all diſputes about Religion, and referre them to the Pope, ordaine nothing concerning Eccleſiaſticall goods, revoke the grants made to the rebels againſt the Sea of *Rome*; otherwiſe to performe his owne duty, that hee ſhall bee forced to uſe greater ſeverity againſt him then hee would.

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THE HISTORIE OF THE COUNCELL OF TRENT.

THE SECOND BOOK.

THE Warre betweene the Emperour and the French King lasted not long. For the Emperour saw plainely, that while he was busied in that, and his brother in the other against the Turk, *Germany* so much increased in liberty, that the Imperiall name would not be esteemed within a short time; and that so long as he made War in *France*, he imitated *Esops* dogge, who following the shadow, lost both it and the body: Whereupon he hearkened to the propositions of peace made by the French men, with designe not onely to be freed from that impediment, but, by the Kings meanes, to accommodate the Turkish affaires, and apply himselfe unto *Germany*. The foure and twentieth of September the peace was concluded betweene them, and amongst other things they both capitulated to defend the old Religion, and to labour for the union of the Church, and reformation of the Court of *Rome*, from whence all the dissensions are derived, and that, for this purpose, the Pope should joyntly bee requested to call the Councell, and the French King should send to the Diet of *Germany* to perswade the Protestants to accept it. The Pope was not afraid of the capitulation for the Councell, and reformation of the Court, being assured, that whensoever they began that enterprise, by reason of their divers ends and interests, they would not long agree: neither did he doubt, but that the designe being to be executed by a Councell, hee would so accommodate every treaty, that his authority should be amplified. But he thought that in case he should call the Councell at their request, the world would imagine he was constrained, which would bring much dishonour to his reputation, and incouragement to him that designed the moderation of the Papall power. Therefore not expecting to be prevented by any of them, and dissembling the suspicions conceived against the Emperour, even those that were most important (which the peace made without his knowledge, with points prejudiciall to his authority put into his head) he set forth a Bull, in which he invited the whole Church to rejoyce for the peace, by which the onely impediment of the Councell, was removed, which he established againe in *Trent*, giving order it should begin the 15. of March.

The Emperor is wholly inclined to peace, which was concluded the 24. of September.

The Pope dissembleth his suspicions.

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The Popes Bull of the convocation of the Councell.

He ſaw the terme was ſtraight, and not ſufficient to give notice throughout, much leſſe to give the Prelats ſpace to put themſelves in order, and make the journey: Yet he thought it advantage, that in caſe it were to bee celebrated, it ſhould begin with few, and thoſe Italians, Courtiers, and his dependants, whom he had ſolicited to be there firſt, becauſe the manner of proceeding in the Councell ſhould be handled in the beginning (which is the principall, yea the onely thing to preſerve the Pontificall authority) unto whoſe determination they who daily arrived would bee conſtrained to ſtand. That it was no marvell that a generall Councell ſhould begin with a few: for ſo it was in that of *Piſa* and *Conſtance*, which nevertheleſſe had an happie progreſſe. And having penetrated the true cauſe of making the peace, he wrote to the Emperour, that he had uſed prevention and celerity to intimate the Councell, to do him ſervice. For knowing that his Majeſty was conſtrained, by reaſon of the French warre, to permit, and promiſe many things to the Proteſtants, by intimating the Councell hee had now given him a meanes to excuſe himſelfe in the Diet, which was to be in September, if, the Councell approaching, he performed not what hee had promiſed to grant untill the Councell.

The Emperor was diſpleaſed with the ſudden intimation of the Councell.

But the Popes haſtineſſe pleaſed not the Emperour, nor the reaſon gave him ſatisfaction. He deſired, for his reputation, to be the principall cauſe, to make *Germany* accept the Councell more eaſily, and for many other reſpects. And therefore being able to do nothing elſe, he uſed all thoſe termes, which might ſhew himſelfe to be the Author, and the Pope the adherent. He ſent Ambaſſadours to all Princes to ſignifie the intimation, and to pray them to ſend Ambaſſadours to honour the meeting, and to confirme the Decrees which ſhould there be made. And he ſet himſelfe to make ſerious preparations, as if the enterpriſe had beene his owne. Hee gave divers orders to the Prelats of *Spaine* and the *Low Countries*, and commanded, amongſt other things, that the Diyines of *Lovaine* ſhould aſſemble themſelves together, to conſider of the doctrines which were to be propoſed; which they reduced to three and thirty heads, without confirming them by any place of Scripture, but explicating magiſterially the concluſion onely. Theſe Heads were after confirmed by the Emperors Edict, and publiſhed, with command, that they ſhould be defended and followed by all. And the Emperour concealed not his diſtaſte againſt the Pope, in his ſpeeches to the Nuncio, as well upon that occaſion, as in other audiences: yea, the Pope having created thirteene Cardinals in December, amongſt which were three Spaniards, he forbad them to accept the armes, or uſe the name or habit.

33. Points of doctrine collected by the Divines of *Lovaine*.

The Emperor ſheweth his diſtaſt againſt the Pope.

The French King alſo aſſembled at *Melun* the Pariſian Divines, to conſult of the neceſſary poſitions of the Chriſtian Faith, to be propoſed in the Councell: where there was much contention. For ſome deſired to propoſe the confirmation of whatſoever was conſtituted in *Conſtance* and *Baſil*, and the reeſtabliſhment of the pragmaticall Law; and others, doubting that the King would be offended by deſtroying the *Concordate*, made betweene him and *Leo*, which would neceſſarily follow, gave counſell not to ſet that diſputation on foot. And afterwards, becauſe there were divers opinions in that Schoole concerning the Sacraments, unto which ſome give effective miniſteriall

miniſteriall vertue, and others not, every one deſiring that his opinion ſhould be an Article of Faith, nothing could bee concluded, but that they ſhould keep themſelves within compaſſe of the five and twenty Heads, publiſhed two yeeres before. 1544 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1.

But the Pope ſignifying to the French King how little good will the Emperor bare him, deſired him for the maintenance of the Apoſtolique Sea, to ſend Ambaſſadours to the Councell as ſoone as might bee, and charged his Nuncio reſiding with the Emperour, that, attending all occaſions when the Proteſtants gave him any diſtaſte, he ſhould offer all aſſiſtance from him, to recover the Imperiall authority, with Spirituall and Temporall aydes. Whereof the Nuncio having had too many occaſions, he ſo wrought, that the Emperour, finding he might have need of the Pope both the one and the other way, remitted his rigidity: and he gave an Argument thereof, by granting the new Cardinals leave to aſſume the name and armes, and by giving the Nuncio more gratefull audiences, and by conferring with him of the affaires of *Germany* more then he was wont to do. The Emperor is reconciled to the Pope.

The Pope made great haſte, not only to call the Councell, but to diſpatch the Legats, whom hee charged, that for maintenance of their dignity, they ſhould not firſt ſend ſome ſubſtitute to receive the firſt Prelates, as ſome adviſed, that afterwards they might make their entrie with meetings and ceremonies, but would have themſelves to be the firſt, and to bee there before the time. He deputed for his Legats, *John Maria de Monte*, a Biſhop, Cardinall of *Paleſtrina*, *Marcellus Cervinus*, Prieſt of the Holy Croſſe, and *Regina'd Pole*, Deacon of S. *Mary* in *Cosmedin*. In this man he chooſe Nobility of bloud, and opinion of piety, which commonly was had of him, and the rather for that he was an Engliſhman, to ſhew that all *England* did not rebell: in *Marcellus* conſtancie, and immoveable and undaunted perſeverance, together with exquiſite knowledge: in *Monte*, reality and openneſſe of minde, joyned with ſuch fidelity to his patrons, that he could not poſtpoſe their intereſts before the ſafety of his owne conſcience. Theſe he diſpatched with a Brieſe of Legation, without giving them, as the cuſtome is, a Bull of Faculty, or any inſtruction in writing, being uncertaine as yet, what commiſſion to give them, meaning to governe himſelfe, as the ſucceſſes, and the Emperours proceeding ſhould counſell him. So he made them depart with the Brieſe onely. The Pope diſpatcheth the Legats to *Trent*. Hee giveth them no inſtructions.

But beſides the care the Pope had for the affaires of *Trent*, another of no leſſe monent troubled his minde, concerning the Diet to bee celebrated in *Wormes*, where he thought the Emperour would not be preſent, and doubting that, being provoked by the letter written unto him, hee would underhand cauſe ſome Decree to be made, more prejudiciall to his affaires then the former, or at the leaſt give way unto it; hee thought it neceſſary to have in that place a miniſter of authority and reputation, with title of Legat. But he feared an affront that way, in caſe the Diet ſhould not receive him with due honour. He found out a temper to ſend to the Emperour the Cardinall *Farneſe* his nephew, and make him paſſe by *Wormes*, and there to give inſtructions to the Catholikes, and, after hee had made the treaties that were convenient, to go forward toward the Emperour, and in the meane ſpace to Cardinal *Farneſe* is ſent to the Diet of *Wormes* and to the Emperour.

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ſend *Fabius Mignanellus* of *Siena*, Biſhop of *Groſſeto*, for his Nuncio to reſide with the King of the Romans, with order to follow him to the Diet.

A conſultation about the faculties to be given to the Legats.

Afterwards applying his minde to *Trent*, hee cauſed a conſultation to be begun concerning the faculties to be given to the Legats. This had ſome difficulty, becauſe they had no examples to follow. For in the *Lateran* Councell next preceding, the Pope was perſonally preſent; before in the Florentine *Eugenius* the fourth was preſent; and that of *Conſtance*, where the Schiſme was taken away, began with the preſence of *John* the 23. one of the three depoſed Popes, and ended with the preſence of *Martin* the fifth. Before that, the Councell of *Piſa* was called by the Cardinals, and concluded by *Alexander* the fifth. And in more ancient times, *Clement* the fifth was preſent in the Councell of *Vienna*; in the two Councels of *Lions*, *Innocence* the fourth, and *Gregory* the tenth; and before theſe in the *Lateran*, *Innocence* 3. Onely the Councell of *Baſil*, at that time when it obeyed *Eugenius* the fourth, was celebrated by Legats. But to imitate any thing, that was there obſerved was too bad a preſage. He reſolved to frame the Bull, with this clauſe, that he ſent them as Angels of peace to the Councell, which before he had intimated in *Trent*: and gave them full and free authority, that, for want of that, the celebration and continuation might not be hindred, with faculty to preſide there, and to ordaine any Decrees or Statutes whatſoever, and to publiſh them in the Seſſions according to cuſtome; to propoſe, conclude, and execute whatſoever was neceſſary, to condemne errours and root them out of all Provinces and Kingdomes; to take knowledge, heare, decide, and determine the cauſes of hereſie, and whatſoever elſe concerneth the Catholike faith; to reforme the State of the holy Church in all her members, aſwell Eccleſiaſticall as Secular; to make peace amongſt Chriſtian Princes, and to determine any thing elſe which may be for the honour of God and the increaſe of Chriſtian faith; with authority to bridle with cenſures and Eccleſiaſticall puniſhments, all contradicting and rebellious perſons, of what ſtate or preeminence ſoever, though graced with Pontificall or Regall dignity; and to do any thing elſe neceſſary & fit for the extirpation of hereſies and errours, and the reducing of thoſe people that are alienes from the obedience of the Apoſtolique Sea, preſervation, and reſtauration of Eccleſiaſticall liberty; yet with condition, that in all things they proceed with conſent of the Councell.

The contents of the Bull.

The Bull for the diſſolution of the Councell.

But the Pope, conſidering not onely how to ſet the Councell forward, but of the meanes to diſſolve it when it was begun, in caſe his ſervice did require it, to provide for himſelfe in good time, he followed the example of *Martin* the fifth, who for feare of thoſe encounters which happened to *John* the 23. in *Conſtance*, when he ſent *Nuncij* to the Councell of *Pavia*, gave them a particular Briefe, with authority to prolong, diſſolve, or tranſlate it to vvhat place they vvould; A ſecret to croſſe all deliberation vvhich vvas contrary to the intereſts of *Rome*. A fevv dayes after he made another Bull, giving the Legats povver to transferre the Councell. This bare date the 22. of February, the ſame yeere, of vvhich being to ſpeak hereafter, vvhen the tranſlation unto *Bolonia* ſhall be related, vvhatſoever is to be ſpoken thereof, ſhall be deferred untill then.

The

The thirteenth of March 1545. the Cardinals of *Monte* and *Santa Croce* arrived in *Trent*, and were received by the Cardinall of that place. That day they made their publike entry, and granted three yeeres, and ſo many times forty dayes of Indulgence, to thoſe that twere preſent. They had not this authority from the Pope, but hoped he would ratifie the fact. They found no Prelat there, though the Pope had cauſed ſome to part from *Rome*, that they might be preſent at the prefixed time. 1545 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1.

The Legats grant an Indulgence without authority.

The firſt thing the Legats did, was to conſider of the contents of the Bull of Faculties given them, and reſolved to keep it ſecret, and ſent advice to *Rome*, that the condition, to proceed with conſent of the Councell, tied them too much, and made them equall to every petty Prelat, and would breed great difficulties in the government, in caſe it were neceſſary to communicate every particular unto all; and ſaid, it was to give too much liberty, or rather licence to the multitude. It was perceived in *Rome* that the reaſons were good, and the Bull was corrected according to the advice, and abſolute authority was given them. But the Legats, while they expected an anſwer, appointed out the place for the Seſſion, capable of 400. perſons, within the Cathedrall Church.

The Bull was corrected.

Don Diego de Mendoza, the Emperors Ambaſſador with the Republique of *Venice*, arrived in *Trent* ten dayes after the Legats, to aſſiſt at the Councell, with large commiſſion given him from *Bruxels* the twentieth of February, and was received by the Legats, aſſiſted with the Cardinall *Madruccio*, and three Biſhops, who onely were then arrived; whoſe names are not to be omitted, becauſe they were the firſt: And they were, *Thomas Campeggio* Biſhop of *Feltre*, the Cardinals nephew; *Thomas* of S. *Felicius*, Biſhop of *Cava*, Friar *Cornelius Muſſus*, a Franciſcan, Biſhop of *Bitonto*, the moſt eloquent Preacher of thoſe times. Foure dayes after, *Don Diego* made his propoſition in writing; which ſhewed the Emperors good diſpoſition concerning the celebration of the Councell, and that order was given to the Prelats of *Spaine* to be there, who he thought were already in their journey; he excuſed himſelfe by reaſon of his indiſpoſition for not being there before, deſired that the actions of the Councell, and the reformation of manners might begin, as was propoſed two yeeres before in the ſame place, by the Lord *Granuel* and himſelfe. The Legats anſwered in writing, commending the Emperour, receiving his perſonall excuſe, and ſhewing their deſire of the Prelats comming thither. And the propoſition and anſwer were received by the parties unto whom it belonged, in the points not prejudiciall to the rights of their Princes reſpectively. A caution which giveth a manifeſt argument, with what charity they treated in the propoſition and anſwer, where there were onely words of pure complement, except the mention of reformation.

Don Diego returneth to *Trent*.

The Legats not knowing which way to treat, made demonſtration to proceed joyntly with the Ambaſſadors and Prelats, and to communicate to them their moſt inward thoughts, whereupon when letters came from *Rome* or *Germany*, they aſſembled all to read them. But perceiving that *Don Diego* equalized himſelfe to them, and the Biſhops preſumed more then they were wont to do at *Rome*, and fearing ſome inconvenience would ariſe

The Legats deſire to have two ſorts of letters and a cipher.

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when their number did increaſe, they ſent advice to *Rome* that alwayes one letter ſhould be written to be ſhewed, and the ſecret things apart, becauſe of the letters which they had received untill then, they had made no uſe but by their wit. They demanded alſo a cipher, to communicate the matters of greater moment. All which particularities, with many more that ſhall bee ſpoken of, having taken out of the Regiſter of the letters of the Cardinall of *Monte*, I have not beene willing to conceale them, becauſe they ſerve to penetrate the depth of the treaties.

The moneth of March being paſt, and the time prefixed in the Popes Bull, to begin the Councell expired many dayes, the Legats conſulted amongſt themſelves concerning the opening of it, and reſolved to expect advice from *Fabius Magnauellus*, Nuncio with *Ferdinand* of what was handled in *Wormes*, and order from *Rome*, after the Pope had heard of the arrivall and propoſition of *Don Diego*; and the rather, becauſe they were aſhamed to make ſo great a beginning with three Biſhops onely. The Ambaſſadours of the King of the Romans arrived the eight of Aprill, and a ſolemne congregation was made to receive them. In that *Don Diego* would have preceded the Cardinall of *Trent*, and ſate next the Legats, ſaying, that in regard hee repreſented the Emperour, he ought to ſit in the ſame place where his Majeſty ſhould. But not to hinder the buſineſſe, they found out a way to place them ſo, that it could not appeare who had the precedence.

D. Diego would have preceded the Cardinall of Trent.

The Kings Ambaſſadours preſented onely their Prince his letter, and declared by word of mouth, his obſervance towards the Apoſtolique Sea and the Pope, his readineſſe to favour the Councell, and large offers; and they added, that he would ſend a commiſſion in forme, and perſons better inſtructed.

The Ambaſſadours of the K. of the Romans are received in congregation.

After this, the wiſhed for advice came to *Rome* and *Trent*, of the propoſition made in the Diet the 24. of March by King *Ferdinand*, who was preſident there in the Emperours name, and of the negotiation which followed thereupon. The Kings propoſition was, that the Emperour had made peace with the French King, that he might apply himſelfe to compoſe the differences of Religion, and proſecute the warre againſt the Turks; from whom he had promiſe of aſſiſtance, and an approbation of the Councell with a reſolution to be there in perſon, or by his Ambaſſadours. That for this end, it being before prorogued, he had dealt with the Pope to intimate it againe, and ſolicited him to give ayde againſt the Turks. That he had obtained the intimation of his Holineſſe, and that Ambaſſadours ſent from the Emperour and himſelfe were already in *Trent*. That all the world knew what paines *Cæſar* had taken to cauſe the Councell to be celebrated; firſt with *Clement* in *Bolonia*, then with *Paul* in *Rome*, *Genua*, *Nizza*, *Lucca*, and *Buſſeto*. That according to the Decree of *Spira*, hee had given order to men of learning and good conſcience, to compoſe a forme of reformation; which was accordingly performed. But it being a thing of great deliberation, and the time ſhort, and the Turkiſh warre threatning them, the Emperour was reſolved not to ſpeak of this any more, but to expect how the Councell would proceed, and what might be hoped from it, becauſe it was ſuddenly to begin; and in caſe no fruit appeared, he might before the end of that Diet, intimate another to handle

The propoſition of Ferdinand in the Diet.

handle all that buſineſſe, applying himſelfe now to that which is of more importance, that is, the Turkiſh warre. 1545

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This propoſition made the Proteſtants very ſuſpicious. For the peace of Religion being to laſt untill the Councell, they were in doubt that when they were exhauſted, by contributions againſt the Turks, they ſhould be aſſailed, upon pretence that the peace was ended by opening the Councell in *Trent*. Yet they demanded that the treaty begun ſhould be continued, alleadging that the time was long enough to him that feared God; or at leaſt, that a new peace ſhould be eſtabliſhed untill a lawfull Councel, ſo often promiſed, ſuch as that of *Trent* was not, for the reaſons ſo many times rehearſed before. And they declared that they could not contribute, if they had not aſſurance of peace, not tied to the Popes Councell, which they had refuſed whenſoever it was ſpoken of. And though the Eccleſiaſtiques did conſent abſolutely, that the cauſe of Religion ſhould bee wholly remitted to the Councell, yet it was reſolved to expect the Emperours anſwer before the concluſion.

The ſuſpicion of the Proteſtants.

Three particulars in this action diſpleaſed the Pope and Legats which were at *Trent*: One, that the Emperour arrogated to himſelfe, to have induced the Pope to celebrate the Councell, which argued ſmall care of Religion in his Holineſſe. The ſecond, that he had induced the French King to conſent unto it, which was no honour to his ſanctitie, to whom this belonged. The third, that he would ſtill keep the bit in his mouth by a future Diet, that, in caſe the Councell went not forward, he ſhould alwayes feare, that things concerning Religion ſhould be treated of in the Diet. The Pope was perpetually troubled, not ſo much for the injuries received from the Proteſtants, as for the Emperours actions, which, as he was wont to ſay, though they ſeemed favourable, yet were more penicious to Religion, and his authority, which could not be ſeparated. Beſides, it ſeemed he was alwaies in danger, that the Emperor would make ſome accord with the Dutch-men, to his prejudice. And thinking how to provide a remedy, he could finde none, but to ſet on foot a warre for Religion, becauſe the Proteſtants would bee curbed, and the Emperour likewiſe intangled in a dangerous enterpriſe, and all ſpeech of reformation and the Councell would be buried in ſilence. Hee had great hope it would ſucceed, by that which his Nuncio wrote unto him, that hee found in the Emperour great diſdaine againſt the Proteſtants, and that he hearkened to his propoſitions to ſubdue them by force. For this reſpect, beſide that which was before related, and to hinder that no prejudiciall thing might be done in the Diet, and to encourage and give ſtrength to his followers, another cauſe was added, more urgent, becauſe it belonged to his private intereſt. For being reſolved to give *Parma* and *Piacenza* to his ſon, he thought he could not do it without great danger, if the Emperour conſented not: becauſe he might finde pretences, either for that thoſe Cities were formerly members of the Dutchie of *Milan*, or might ſay, the Church ſhould not be damnified, whereof he was advocate. To diſpatch theſe buſineſſes, he ſent Cardinall *Farneſe* into *Germany*, with inſtructions neceſſary.

The Pope and the Legats were diſpleaſed with three particulars in the propoſition.

The Pope is reſolved to give *Parma* and *Piacenza* to his ſonne: but feareth the Emperour.

But the Legats in *Trent* had commiſſion from the Pope, to open the Councell with thoſe few Prelats that were there, without expecting a greater number,

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ber, in caſe they underſtood that they would treat of Religion in the Diet, but if not, to governe themſelves as other reſpects ſhould adviſe. They ſaw that the propoſing of the Diet did not binde them, but, on the other ſide, that the ſmall number of Prelats (who then were not more then foure) perſwaded a prorogation. Notwithſtanding, they were in doubt that the danger of the Turkiſh armes would conſtraine *Ferdinand* to make the *Receſſe*, and, according to promiſe, to intimate another Diet, in which Religion ſhould be treated of: caſting the blame upon them, by ſaying that notice was given them of the propoſition, that, knowing what was promiſed with good intention, they might have hindred the execution of it by opening the Councell. For this cauſe they ſent in diligence to the Pope, to receive order from him what to do in this doubtfull conſultation, ſeeing themſelves on the one ſide conſtrained by a potent reſpect to make haſte, and on the other enforced to deſiſt, becauſe they were almoſt alone in *Trent*. They declared to the Pope that they had many conjectures, and ſignes, that the Emperour regarded not the celebration of the Councell; that *Don Diego*, after his firſt comparition, had never ſpoken ſo much as one word, and did ſhew, as it were, in his countenance, that he was pleaſed with that leaſure and ſpending of time. For his appearance onely was ſufficient to excuſe and juſtifie his Maſter, that having, by himſelfe and his Ambaſſadours, continually deſired and ſollicited the Councell, and brought the buſineſſe to that paſſe, and not ſeeing a convenient progreſſe, hee might and ought to intimate another Diet, to determine the cauſe of Religion, as by reaſon devolved unto him by his owne diligence, and negligence of the Pope. They reſolved to take a middle courſe: that is, to ſing a Maſſe of the holy Ghoſt, before the Emperor arrived in the Diet; which might ſtand for a begtnning of the Councell, and prevent whatſoever the Emperour could do in the *Receſſe*, and, on the other ſide, remove all occaſion of ſaying, that the matters of the Councell were begun to be handled with foure perſons, remaining in libertie to enjoy the benefit of time, and to be able to goe on, or deſiſt, or transferre, or ſhut up the Councell, as the occurrences ſhould adviſe. They wiſhed him to conſider, that if the Councell were opened, after that Cardinall *Farneſe* had ſpoken with the Emperour, one might think that Cardinall was ſent to intreat that it might not be opened, and could not obtaine it. Beſides, the fame of the Turkiſh armie increaſing, it would be ſaid it was opened when neceſſity compelled to think of other matters, and when it was knowne it could not be done. The Cardinall *Santa Croce* deſired much that ſignes of devotion ſhould be ſhewed, and the people made to run together with the uſuall Ceremonies of the Church; and therefore perſwaded that all ſhould write to the Pope, and demand a Briefe, with authority to give Indulgences, dated from the time of their parting, that the Indulgence which they granted at their entrie, might be made good. That Cardinall was ſcrupulous, that the people which were preſent at that entrie, ſhould not be defrauded of thoſe three yeeres and thrice forty dayes which they granted, and would ſupply it by this; not conſidering that a difficulty did ariſe, whether he that hath authority to grant Indulgences, can make good thoſe which another hath granted without authority.

The Legats know not what to reſolve about the opening of the Councell.

It is reſolved that the Councell ſhould be opened, onely by ſinging a Maſſe of the holy Ghoſt.

The deſire of the Cardinall *Santa Croce*.

The

The Cardinall, Biſhop and Lord of *Trent*, conſidering that that Citie, little in it ſelfe, and not much inhabited, would remaine at the diſcretion of Strangers, and in danger of ſeditions, in caſe the Councell proceeded, gave the Pope to underſtand, that there was need of a garriſon of, at the leaſt, an hundred and fifty footmen, eſpecially if the Lutherans came, which expence himſelfe was not able to beare, being exhauſted by paying his Predeceſſors debts: The Pope anſwered, that, if he put a garriſon into the towne, the Lutherans would have a pretence to publiſh that the Councell was not free; that it was in vain to make doubt, ſo long as none but Italians were in *Trent*; and that he had no leſſe care of the quiet of the Citie, then the Cardinall himſelfe, becauſe the ſecurity of the Councell more imported the Pope, then the Biſhop of the place; therefore that he ſhould leave the care thereof unto him, and aſſure himſelfe, that he will be vigilant to provide againſt dangers, for his owne intereſt, and will not burthen him with any expence. Having well conſidered all the reaſons which perſwaded and diſſwaded to begin the Councell, for diſſwaſion he ſaw no weighty reaſon but this, that when the Councell ſhould be opened, he would be intreated to leave it ſo, untill the impediments of the Turkiſh warre, and others, did ceaſe: which was to put a bridle in his mouth, which would turne him whither he pleaſed that held the raines; a thing dangerous to his affaires. This made him reſolve firmely in himſelfe, by no meanes to let the Councell ſtand idly open, and not to depart from this disjunctive, either to celebrate the Councell if he could, or, if he could not, to ſhut it up, or ſuſpend it, untill he had publiſhed another day to reaſſume it. Having eſtabliſhed this point, he wrote to the Legats, to open it upon Holirood day; which order they publiſhed to the Emperours Ambaſſador and the reſt, without naming the particular time. A little after, Cardinall *Farneſe*, in his journey towards *Wormes*, arrived in *Trent*, and brought the ſame commiſſion; and all being conſulted of betweene him and the Legats, they reſolved to continue, notifying unto all, the Commiſſion to open the Councell in generall, without deſcending to the particular day, more then this, that it ſhould be when hee had ſpoken with the Emperour in *Wormes*. And they conceived good hope; becauſe they underſtood that his Majeſty, knowing the diſpatch of the Legation, was much ſatisfied with the Pope, and declared that he would joyntly proceed with him; and therefore they would not go on to any new action, without his knowledge, for feare of diſturbing him; and the rather becauſe *Don Diego*, and the Cardinall of *Trent* adviſed the ſame.

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The Cardinall of *Trent* deſireth a garriſon

The Pope giveth commiſſion to open the Councell. on Holirood day.

Card. *Farneſe* paſſeth by *Trent*.

Don Diego renewed his pretence, to precede all but the Legats, alleadging, that if, when the Pope and Emperour met, no man could ſit betweene them, the ſame ought to be obſerved in thoſe that repreſented the one and the other; and ſaid he had the advice of learned men herein. The Legats anſwered in generall termes onely, that they were ready to give every man his place, expecting orders from *Rome*; which pleaſed *Don Diego*, hoping that deciſions and examples thereof vvould bee found in the publike Records; ſhewing hee was ready out of the Councell, to give place to every petty Prieſt, but adding that, in the Councell, none after the Pope, had more authority then his Prince. Some that read this relation may think it ſuperfluous

Don Diego renewth his pretence for precedence.

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ſtruous, becauſe it containeth matter of ſmall weight: but, contrarily, the writer of the Story hath thought neceſſarie to make knowne, from how ſmall rivers ſo great a lake, which poſſeſſeth all *Europe*, hath beene raiſed; and he that ſhall ſee how many letters went to and fro before the opening was concluded, would wonder at the eſteeme was made of it, and at the ſurmiſes that did flie abroad.

The Vice-roy of *Naples* would ſend but foure Biſhops to the Councell, and thoſe of his owne nomination, and is much oppoſed

In *Italy*, becauſe they ſaw the Councell went on, and hoped that now it would be celebrated, the Biſhops thought of their journey. The Vice-roy of *Naples* took care that all his ſhould not go. His will was to ſend foure of his owne nomination, with commiſſion from the reſt of the Kingdome, which are above an hundred. Therefore the great Chaplaine of the Kingdome aſſembled the Prelats in his houſe, and intimated unto them, that they ſhould make a proxie. Many oppoſed, and ſaid they would go in perſon, becauſe they were ſo bound by oath: but in caſe they could not, it was reaſonable that every one ſhould name a Proctor, according to his owne conſcience, and not one for all. The Vice-roy was angry, and gave order againe to the great Chaplaine to call them, and command them to make the proxie, and ſent the like order to all the governours of the Kingdome. This troubled the Pope and Legats very much, becauſe they knew not whether it came from the Vice-roy his owne fantaſie, to ſhew himſelfe a ſufficient man, or from want of wit, or whether ſome other had made him do it, and proceeded from a deeper roote. To diſcover from whence this motive came, the Pope made a ſevere Bull, that none, without exception, ſhould appeare by Proctor. This the Legats concealed, as being too ſevere, becauſe it contained all the Prelats of Chriſtendome, even the moſt remote, and thoſe that had lawfull impediment, who could not poſſibly obſerve it: and alſo becauſe it was too rigid, conſtituting that they incurred *ipſo facto*, the puniſhment of ſuſpenſion from their Miniſtery. And they feared it would cauſe many irregularities, nullities of acts, and undue receivings of fruits; and that by this meanes ſome diſcontented Nation might be ſtirred up to appeale and conteſt for juriſdiction. Wherefore they wrote, that they ought not to publiſh it without new commiſſion, thinking the rumour that the Bull was made would ſuffice, though it were not ſhewed. What end this Bull had, ſhall be declared in its fit place.

The Pope maketh a ſevere Bul, that none ſhould appeare in Councel by Proctor.

The Legats require mony for the expences of the Councell.

Another buſineſſe remained, though of ſmaller moment, yet no leſſe troubleſome. The Legats, untill then, had received but ſmall ſtore of money for their expences, and were too poore to ſupply out of their owne, as was fit for them to do in ſome particular; in ſo much, that if they ſo continued, they ſhould not be able to maintaine themſelves. Whereupon they did communicate it to *Farneſe*, and wrote to the Pope, that it was not for his reputation to hold a Councell without neceſſary and accuſtomed ornaments, with that luſtre that ſo great an aſſembly required; for which it was neceſſary to ſend ſome perſon, to undergo this charge onely: and therefore it would be good to appoint a Depoſitary, with a ſumme of money, to diſcharge the occurring expences, to aſſiſt ſome needy Prelat, and to cheriſh ſome man of account: a thing neceſſary to procure a good end of the Councell.

The firſt congregation ſpent in Ceremonies.

The third of May, ten Biſhops being then arrived, they made a congregation

gation to eſtabliſh the things that ſhould go before; in which they publikely intimated the Popes commiſſion to open the Councell, adding, that they would not determine of the day, untill they had imparted it to the Emperor. This Congregation, for the moſt part, was ſpent in matters of ceremonie; that the Legats, though of divers Orders, one being a Biſhop, another a Prieſt, and the third a Deacon, ſhould notwithſtanding have the ſame ornaments, wearing Rochets all three alike, as their office and authority was equall in one Legation and one Preſidencie; that the place for the Seſſions ſhould be beautified with hangings of Arras, that it might not ſeeme an Aſſembly of mechanicall men. They propoſed whether it were fit to make ſeats for the Pope and Emperour, which ſhould be adorned and remaine empty: they treated whether it were fit to give *Don Diego* a more honourable place then the other Ambaſſadours. It was conſidered that the Biſhops of *Germany*, who are Princes of the Empire, do pretend right of preceding all other Prelats, even Archbiſhops, alleadging that it is not onely ſo obſerved in the Diets, but alſo that the Biſhops which are not Princes ſtand bare before them. It was remembred, that the yeere before, there was a difference in the ſame Citie, where the Biſhop of *Heicſtat*, and the Archbiſhops of *Corfu* and *Ottranto* met together at a Maſſe. Some alſo alleadged, that in the Popes chappell, the Biſhops that are Ambaſſadours for Dukes, and other Princes, do precede the Archbiſhops, and therefore that the Princes themſelves ſhould do it much more. And they concluded to reſolve nothing herein untill the Councell were more frequent, that they might ſee how the French men and Spaniards did underſtand it. They thought fit to renew the Decree of *Baſil*, and of *Julius* the ſecond, in the *Lateran* Councell, that it ſhould prejudice no man to ſit out of his place. The reſolution to expect the advice of *Farneſe*, to determine the day of opening the Councell, gave much ſatisfaction to *Don Diego*; and thoſe few Biſhops ſhewed much devotion and obedience to the Pope, as did alſo the Biſhop of *Vercelli*, who arrived the ſame day after the Congregation ended, together with Cardinall *Poole* the third Legat.

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While they met in *Trent* to convince hereſies by a Councell, in *France* they did the ſame by force of armes, againſt a ſmall remainder of the *Waldenſes*, inhabitants of the *Alpes* of *Provence*, who (as hath been ſaid before) maintained a ſeparation from the Sea of *Rome*, with a diverſe doctrine and rites, very imperfect and rude. Theſe men, after the reformations of *Zuinglius*, enlarged their doctrine by his, and reduced their rites unto ſome forme, at the ſame time when *Geneva* embraced the reformation. Sentence was pronounced againſt theſe many yeeres before, by the Parliament of *Aix*, which had never beene executed. The King now commanded to execute the ſentence. The Preſident muſtered together as many Souldiers as hee could in the places bordering upon them, and in the Popes State of *Avignion*, and went with an army againſt thoſe poore creatures, who neither had weapons, nor thought, otherwiſe then by flight, to defend themſelves, thoſe that could. They went not about to teach them, or by threats to make them leave their opinions and rites: but firſt of all, filling all the Countrey with rapes, ſlew as many as ſtood to their mercie, becauſe they could not flie, without ſparing old or yong, of what age or condition ſoeuer. They deſtroyed, or rather

A miſerable ſlaughter of the *Waldenſes* made by the French men.

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ther razed the Countries of *Cabriers* in *Provence*, and of *Mernidolo* in the County of *Viinoiſin*, belonging to the Pope, and all other places in thoſe precincts. It is certaine that more than 4000. perſons were ſlaine, who, without making defence, deſired mercy.

Cardinall Farneſe his negotiation with the Emperour in Germany.

But in *Germany*, the Emperour arrived in *Wormes* the 16. of May, and Cardinall *Farneſe* the day following, who treated with him, and with the King of the Romans apart. He delivered his commiſſions particularly concerning the Councell, declaring that the Pope had given the Legats power to open it: which they meant to do when they ſhould underſtand from him, what was done in the Diet. He told the Emperour, that it was not neceſſary to regard the oppoſitions of the Proteſtants, ſeeing that the impediment alleadged by them, was not new, but was foreſeene from the day the Councell was firſt ſpoken of: that he might aſſure himſelfe, that they, having caſt off the yoke of obedience, the principall foundation of Religion, and proceeded to ſo impious and wicked innovations, againſt the rites, obſerved many hundreds of yeeres, by the approbation of ſo many famous Councels, they would with the ſame boldneſſe, ſpurne againſt the Councell, which was to begin, though lawfull, generall, and Chriſtian, aſſuring themſelves to be condemned by it. Therefore that nothing remained, but that his Majeſty ſhould induce them to obedience by authority, or conſtraine them by force. Which, in caſe it were not done, and they ſo much regarded, as not to bee condemned, or, after condemnation, not conſtrained to lay aſide their errours, all the world would know that the heretiques command, and the Pope and Emperour obey. That his Holineſſe as he thought fit to uſe mildneſſe at the firſt, ſo he thought it neceſſary to ſhew really, that after it would follow force of armes. That he offered him a grant of part of the Eccleſiaſticall revenues of *Spaine*, and power to ſell the plate of thoſe Churches, to aſſiſt him with his owne money, and to ſend him out of *Italy* 12000. foot, and 500. horſe paid, and to endevour that he might likewiſe be aſſiſted by other Princes of *Italy*, and to proceed, during the time of the warres, with ſpirituall and temporall armes, againſt whoſoever ſhould moleſt his territories. *Farneſe* declared alſo to the Emperour the attempt of the Vice-roy of *Naples*, who would have ſent foure Proctors in the name of all the Biſhops of the Kingdome, ſhewing it was neither reaſonable nor lawfull, and that it was a diſhonour to the Councell: For if Biſhops, dwelling ſo neere, and being ſo many, might be excuſed by ſending foure, *France* and *Spaine* might do it much rather, and ſo a Generall Councell ſhould be held with twenty Biſhops. And he prayed the Emperour not to tolerate a thing ſo contrary to the authority of the Pope, and dignity of the Councell, whereof himſelfe is Protector, deſiring him to give ſome remedy herein. The Cardinall alſo treated with him concerning the promiſe made in his Majeſties name, in the propoſition ſent to the Diet; that is, that to determine the controverſies of Religion, in caſe the Councell did not proceed, another Diet ſhould bee held; and deſired him to conſider, that if neither his Holineſſe, nor his Legats and Miniſters, nor the Court of *Rome*, were in fault that the Councell were not celebrated, nor proceeded, he could not by any meanes intimate in the *Receſſe* another Diet, under this colour. And he inculcated this point

He complaineth of the Vice-roy of *Naples*.

exceedingly

exceedingly, because he had strait commission therein from *Rome*; and because the Cardinall of *Mente*, a man very free, not onely spake but also wrote unto him thereof, in his owne name and his colleagues; after that he parted from *Trent*, saying in plaine termes, that this was the most important point at which he should ever ayme, without forgetting it in his whole negotiation, taking care not to admit any excuse, because this onely would produce any other good agreement. And for his owne part, he would put his Holinesse in minde rather to abandon the Sea, and restore the keyes to Saint *Peter*, then suffer the Secular power to arrogate authority to determine causes of Religion, under pretence and colour that the Ecclesiasticall hath failed in celebrating a Councell or otherwise.

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Concerning the attempt of the Vice-roy, the Emperour said it proceeded from his owne proper motion, from which, in case he had not great reason to the contrary, he would bee removed. For opening the Counrell hee gave no resolute answer, but spake diversly, sometimes that it would bee good to begin it in a more fit place, sometimes that it was necessary to make sundry provisions first. Whereby the Cardinall saw plainely that his ayme was onely to hold the matter in suspence, and to governe himselfe as occasion served, either opening or dissolving it. For not intimating another Diet to treat of Religion, he gave a generall and unconcluding answer, that he would alwayes make as much esteeme as was possible of the Popes authority. But to the proposition of making warre against the Lutherans, he answered that the Popes counsell was the best, and that the onely way was proposed by him, which he was resolved to imbrace; yet that he would proceed with due caution, and first conclude a truce with the Turk, which hee then did mediate diligently, and most secretly, by the French King, and that he knew well, that the number and power of the Protestants was great, and insuperable, and that in case they were not divided or surprised at unawares, the warre would prove doubtfull and dangerous. That his designe was to conceale his purpose untill opportunity served, and then to treat with the Pope. In the meane while he accepted the offers made unto him.

The Emperours answer to the Legat.

Beside these publike businesses, the Cardinall had one private for his owne house. The Pope thinking it too little to give to his family the Dukedome of *Camerino*, and *Nepi*, thought to give them also *Parma* and *Piacenza*; which because they were a little before in the possession of the Dukes of *Milan*, he desired the Emperours consent, to establish his gift the better. The Cardinall treated with the Emperour hereof, shewing it were better for his Majesty that those Cities, so neere to the Dutchie of *Milan*, were in the possession of a family, so devoted and allied unto him, then in the power of the Church, in which if an ill affected Pope should succeed, divers inconveniences might arise; that this would not be an alienation of the patrimony of the Church, because they first came into the hands of *Julius* 2. neither was the possession of them well confirmed but under *Leo*; that it would be more profitable for the Church, because the Pope would give it *Camerino* in exchange; and that detracting the charge of maintaining the garrisons of those two Cities, and adding eight thousand crownes, which the new Duke

The Legats private negotiation concerning his owne family.

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would pay, the Church would receive more rent by *Camerino*, then by them. To theſe expoſitions the Cardinall joyned his daughters letters, who effectually prayed the Emperour for her owne intereſt, unto whom the matter was not diſpleaſing, as well for the affection hee bare to his daughter and nephewes, as becauſe it would be more eaſie to recover them from a Duke, then from the Church. Yet he neither denied nor granted, but ſaid onely he would not oppoſe.

The Emperors anſwer

The Legate treated with the Catholikes, and the Eccleſiaſtikes eſpecially, incouraging them to defend the true Religion, and promiſing them all favour from the Pope. The Proteſtants ſuſpected the negotiation of the warre, though handled ſecretly, becauſe a Franciſcan Friar, preaching before *Charles*, *Ferdinand*, and the Legat, after a great invective againſt the Lutherans, turned to the Emperor, and ſaid it was his office to defend the Church with armes, that until then he had not performed that which was neceſſary to be effected; that ſo many benefits which God had beſtowed upō him, deſerved he ſhould make acknowledgement of them by ſetting himſelfe againſt that contagion of men, who ought not to live any longer; and that he ought not to make any further delay, becauſe many ſoules did dayly periſh by this meanes, for whom God will ask an account of him, if he gave not ſome ſudden remedy. This Sermon not onely begat ſuſpicion, but raiſed diſcourſes alſo that it had been commanded by the Legat, and by the publike exhortations, they concluded what the privat were. To remedy which rumor, the Cardinall parted ſecretly by night, & returned quickly into *Italy*. Yet the ſuſpicion of the Proteſtants increaſed, by the adviſes from *Rome*, that the Pope, when hee diſmiſſed ſome Captaines, gave them hope he would imploy them the next yeere.

The Proteſtants ſuſpect that warre would bee made againſt them.

The Legat doth ſecretly and ſuddenly returne into *Italy*.

But the B. of *Sidonium* arrived in *Trent* the 18 of May, with a Friar a Divine, and a ſecular Doctor, as Proctors of the Elector Cardinall & Archbiſhop of *Mentz*. The B. made a ſhort oration of the Electors obedience to the Pope, and Apoſtolike Sea, much commending the celebration of the Councell, as the onely neceſſary remedy to thoſe waverings of faith, and Catholike Religion. The Legats, in their anſwer, commended the piety and devotion of that Prince; and for admitting his commiſſion, they ſaid, it was neceſſary to ſee it firſt, becauſe his Holineſſe had made a new proviſion, that none could give voice by proxie, & that they were in doubt, whether it comprehended a Cardinall, and a Prince; that they well knew the prerogative which his excellencie deſerved, wherunto they were moſt ready to give all honour and reſpect. Theſe three men perceiving the difficulty, were in a confuſion, and thought to depart. The Legats repented them of the anſwer, knowing of what importance it would be if the prime Prince and Prelat of *Germany*, for dignity and riches ſhould be aliened from the Councell: And they wrought by way of mediation, dexterouſly made by the Cardinall of *Trent*, by the Ambaſſadors and others, that they would remaine, ſaying the Bull ſpake only of Italian Biſhops, and that the Legats were deceived, which imputation they were contented to beare, that they might withſtand ſo great a diſorder.

The Proctors of the Archbiſhop of *Mentz* are about to leave the Councell.

Wherfore they wrote to *Rome*, giving an account of the ſucceſſe, & demanding whether they ſhould receive them while the Bull was in force, adding that it ſeemed hard to repell the Proctors of ſo great a perſonage, who

ſhewed

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ſhewed himſelfe zealous and favourable to the Catholike party, who by this meanes might grow luke-warme: they were inſtant to have an anſwer, becauſe the determination hereof would ſerve for a preſident, for that the other great Biſhops of *Germany* might ſend Proctors likewiſe, whom it were better they went not to *Trent* in perſon, becauſe being accuſtomed to ride with great traines, the Citie would not be able to receive them all: and they wrote, that above all things, it was not fit to ſcorne the Dutchmen, who are naturally ſuſpicious, and eaſily reſolve themſelves; and eſpecially thoſe that are loving and well-deſerving, as *Cocleus*, who is already in his journey, as Proctor for the Biſhop of *Heicſtat*; who hath written ſo much againſt the Heretiques, that one would be aſhamed to ſay that he could not have a voice in the Councell. The Pope thought it not fit to write preciſely hereof, conſidering the difficulties of *Naples*. For the Vice-roy continuing in his reſolution, a commiſſion was made to foure to bee preſent there, in the name of all. Theſe being prepared for their journey, paſſed by *Rome*, concealing they were elected for the reſt, ſaying they went for themſelves; and that the others would follow. But he wrote to the Legats to entertaine the Proctors with good words, untill he gave another reſolution. The *Neapolitans* ſpake alſo in the ſame tenor at their arrivall in *Trent*, and as well the Pope as the Legats diſſembled the ſame, deferring to ſpeak of it untill they were reſolved of the time to open the Councell.

The Legats do earneſtly demand a reſolution about admitting Proctors.

The Pope knew not what to anſwer.

In the end of May, 20. Biſhops, five Generals, and one Auditor of the *Rota* were come to *Trent*, all much wearied with expectation. Theſe commended the reſt, who, not caring to be haſtie, expected to ſee a more reaſonable occaſion to part from their home, and were by them called, to their great diſtaſte, head long fooles, for being ſo eaſily perſwaded. Therefore they asked the Legats leave to go for fifteene or twenty dayes to *Venice*, *Milan*, or elſewhere, to avoid the incommodities of *Trent*, pretending want either of health, or apparell, or other reſpects. But the Legats, knowing how much it concerned the reputation of the Councell, entertained them, partly by ſaying they had not power to give leave, and partly by giving hope that the Councell ſhould begin within few dayes. *Cæſars* Ambaſſadour returned to his Ambaſſage at *Venice*, upon pretence of indiſpoſition, leaving the Legats doubtfull whether it were by the Emperours commiſſion upon ſome trick, or for being weary to bee idle and incommodated. He promiſed a ſpeedy returne, adding that in the meane while the Ambaſſadours of the King of the Romanes remained there to aſſiſt the ſervice of God; and yet he deſired the Councell ſhould not bee opened untill his returne.

The Prelats deſire to depart from *Trent*. And *D. Diego* returneth to *Venice*.

But in the end of the next moneth the greater part of the Biſhops, moved, ſome by poverty, and ſome by incommoditie, made grievous complaints, & raiſed as it were a ſedition among themſelves, threatning that they would depart, and had recourſe to *Francis Caſtel-Alto*, governour of *Trent*, whom *Ferdinand* had appointed to hold his place, together with *Anthony Gineta*. This man came before the Legats, and deſired them in the name of his King, that now at laſt they would begin, it being plaine how much good would enſue by the celebration, and how much evil by temporizing thus. The Legats

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held themſelves offended herewith, becauſe they thought it was to ſhew the world that which was contrary to the truth, and to attribute to them the delay, which proceeded from the Emperour. And though they among themſelves reſolved to diſſemble, and to anſwer in generall termes, yet the Cardinall *Monte* could not bridle his liberty, but in making anſwer, concluded in the end with perſwaſion to expect *Don Diego*, who had more particular commiſſions then he. It was hard to entertaine and comfort the Prelats who ill endured that idle delay, and eſpecially the poore ones, who wanted money, and not words. Wherfore they reſolved to give, at the Popes charge, forty Ducats a yeere to the Biſhops of *Nobili*, *Bertinoro*, and *Chioza*, who complained more then the reſt; and fearing that the munificence might give pretence hereafter, they declared themſelves that it was for a ſubſidie, and not for proviſion. They gave the Pope an account by letter of what they had done, ſhewing him the neceſſity to aſſiſt them with ſome greater aid: but telling him withall, that it was not good to give it as a firme proviſion, that the Fathers might not ſeeme the ſtipendaries of his Holineſſe: which would cheriſh the Proteſtants excuſe, not to ſubmit themſelves to the Councell, becauſe it was compoſed onely of thoſe that depended on, and were obliged to the Pope.

Money is given to the poore Biſhops.

The Archbiſhop of *Collen* is cited by the Emperour in *Wormes*.

At the ſame time the Emperour, in *Wormes*, cited the Archbiſhop of *Collen* to appeare before him within thirty dayes, or to ſend a Proctor, to anſwer to the accuſations and imputations laid upon him, commanding him in the meane ſpace not to make any innovation in Religion and Rites, but to reduce the things innovated to their former ſtate. *Hermannus* Biſhop of *Collen*, deſiring to reforme his Church, in the yeere 1536. called a Councell of the Biſhops his Suffragans, where many Decrees were made, and a book printed, compoſed by *John Groperus*, a Canoniſt, who, for ſervice done to the Church of *Rome*, was after created Cardinall by Pope *Paul* the fourth. But whether the Archbiſhop, and *Groperus* himſelfe were not ſatisfied with the reformation, or whether he changed his opinion, he aſſembled the Clergie and Nobility, and chiefe men of his ſtate in the yeere 1543. and eſtabliſhed another reformation. This, though it were approved by many, pleaſed not the whole Clergie, yea, the major part oppoſed it, and made *Groperus* their head, who before had given counſell for it, and promoted it. They intreated the Archbiſhop to deſiſt, and expect a generall Councell, or at the leaſt, an Imperiall Diet; which not being able to obtaine, in the yeere 1545. they appealed to the Pope, and to the Emperour, as ſupreme advocate and protectour of the Church. The Archbiſhop publiſhed by a writing, that the appeale was frivolous, and that hee could not deſiſt from that which belonged to the glory of God, and amendment of the Church; that he had not to do either with the Lutherans or others, but that he obſerved the doctrine agreeable to the holy Scripture. The Archbiſhop going on in his reformation, and the Clergie of *Collen* inſiſting upon the contrary, the Emperour received the Clergie into his protection, and cited the Archbiſhop, as hath beene ſaid.

This newes comming to *Trent*, gave matter to paſſe the time at the leaſt with diſcourſes. The Legats were much moved, and amongſt the Prelats which

which were present those that were of any understanding blamed the Emperour, for making himselfe Judge of faith and reformation; the most gentle word they spake, was, that the Emperours proceeding was very scandalous. They began to know they were not esteemed, and that to bee idle, was to be scorned by the world. Therefore they did discourse that they were constrained to declare themselves to be a Councell lawfully called, and to be begin the work of God, proceeding first against the foresaid Archbishop, the Elector of *Saxony*, the Landgrave of *Hassia*, and likewise against the King of *England*. they grew into so great spirits that they seemed not the same, who a few dayes before thought themselves confined in prison. The Ministers of the Archbishop of *Mentz* abated this heat, putting them in minde of the greatnesse of those Princes and their adherents, and the danger to make them unite themselves with the King of *England*, and so to make a greater fire in *Germany*: and the Cardinall of *Trent* spake in the same forme. The Italian Bishops, thinking it a great matter to meddle in such eminent subjects, said, it was true that all the world would be attentive at such a processe, yet that all the importance was to begin and ground it well: They incited one another, saying, it was necessary to redeeme the slownesse past with celerity hereafter. That they should demand of the Pope, some man of worth to perorate against the accused, as did *Melchior Baldassino*, against the Pragmatique, in the *Lateran* Councell; being perswaded that to deprive Princes of their States had no other difficulty, then to use well the formes of Processes. But the Legats, as well for this as for other occurrences, knew it to be necessary to have such a Doctor, and wrote to *Rome* to be provided of one.

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The Emperor is blamed, for the Citation, by the Fathers of *Trent*.

The Pope understanding the Emperours action, was astonished, and doubted whether to complaine or be silent. To complaine, when no effect would succeed he thought frivolous, and a demonstration of his small power. And this moved him exceedingly. But on the other side, considering well how much it imported him not to passe over a matter of that moment, he resolved not to give words, as they did in *Trent*, but to proceed to facts, and answer the Emperour afterwards, if he should speak of it. Therefore he made another citation against the Archbishop, the eighteenth of July, that within sixtie dayes he should appeare before him. Hee cited also the Deane of *Collen*, and five of the principall Canons, leaving the world to dispute how the Archbishop could appeare before two which cited him for the same cause, in divers places, at the same time; and how a dispute of the competencie of the place of judicature belonged to the honour of Christ. But how this succeeded, and what end the cause had, shall bee said in its place.

The Pope was wonderfully distasted with the Citation.

The Archbishop is cited by the Pope.

To returne to that which more neerely concerneth the Councell; the Emperour assaied in the Diet divers wayes, to make the Protestants grant him assistance against the Turks, not mentioning Religion. Whereunto they still answered, that they could not resolve without they were secured, that the peace should be kept, and that, by the convocation in *Trent* under the name of a Councell, it was not understood that the time of the peace was ended, according to the Decree of the former Diet, but declared that the peace cannot be interrupted, nor themselves enforced by any Decrees made in

The Emperor demandeth assistance against the Turks of the Protestants, who give a conditionall answer.

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Trent; becauſe they cannot ſubmit themſelves to that Councell, where the Pope, who hath condemned them already, hath free power. The Emperour ſaid, hee could not give them peace which might exempt them from the Councell, to whoſe authority all are ſubject; that he had no way to excuſe himſelfe to other Kings and Princes, if it were granted to *Germany* alone not to obey the Councell, aſſembled eſpecially for her ſake. But if, as they ſaid, they pretended a cauſe why they would not ſubmit, let them go to the Councell, and alleadge their reaſons why they ſuſpect it; that they ſhould be heard, and if it appeared they had wrong, they might then refuſe; that it was not pertinent to prevent, and to ſuſpect that which appeared not, pretending grievance of things to come, and judging of that which is not ſeene as yet. They replied, they ſpake not of things to come but paſt, their Religion being condemned already, and perſecuted by the Pope and all his adherents. Therefore they were not to expect any future judgement, becauſe it was paſt already. That it was juſt that the Pope, and his adherents of *Germany*, and of all other places, ſhould make one part in the Councell, and themſelves the other; and for the difficulty about the manner and order of proceeding, the Emperour, Kings, and Princes ſhould be Judges, but for the merits of the cauſe, the Word of God onely.

They could not be removed from this reſolution, though the Ambaſſador of *France*, there preſent, did very much, and with menacing termes, entreat them to conſent to the Councell; which threats the Miniſters of that K. the Popes favourers, did dictate to the Ambaſſador, when he parted from *France*. The Imperialiſts propoſed the tranſlation of the Coũcel into *Germany*, under the Emperours promiſe to labour effectually, that the Pope ſhould condeſcend; which the others accepted, upon condition the peace were eſtabliſhed untill the Councell were aſſembled there. But *Charles*, being ſure that the Pope would never agree, ſaw that this was to give them a perpetuall peace, and therefore he thought it better to leave things in ſuſpence, granting it only untill another Diet, ſeeing hee was conſtrained, having not concluded truce with the Turks as yet, and eſteeming more that warre; thinking that by occaſion of a Colloquie, other reaſonable meanes would be offered hereafter to make them conſent anew to the Councell of *Trent*, or, in caſe of refuſall, to hold them contumacious, and to make warre againſt them. Therfore the fourth of Auguſt he ended the Diet, and ordained another in *Ratisbon*, for January next, whereat the Princes ſhould be perſonally preſent, and inſtituted a Colloquie in matter of Religion, of foure Doctors, and two Judges for a ſide. This was to begin at December, that the matter might be digeſted before the Diet. He confirmed and renewed the former Edicts of peace, and ſet downe a manner to pay the contributions for the war. How the Colloquie did proceed, ſhall be ſaid it its place.

Another Diet is ordained in *Ratisbon* for January.

The Proteſtants, being departed from *Wormes*, ſet forth a book, where they ſaid in ſumme, that they eſteemed not the Tridentine for a Councell, being not aſſembled in *Germany*, as *Adrian* and the Emperour promiſed; whereunto to make ſhew of giving ſatisfaction by making choice of *Trent*, was to mock the world, becauſe *Trent* cannot be ſaid to be in *Germany*, but onely becauſe the Biſhop is a Prince of the Empire: but for ſecurity, that

The Proteſtants do proteſt againſt the Tridentine Councell.

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it was as well in *Italy*, and as much in the Popes power as *Rome* it ſelfe. And the rather they eſteemed it not lawfull, becauſe Pope *Paul* would bee preſident in it, and propoſe by his Legats, that the Judges were tied unto him by oath; that the plea being againſt the Pope, himſelfe ought not to be Judge; that it was neceſſary to treat firſt of the forme of the Councell, and of the authorities, whereupon to ground. But the Emperours reſolution diſpleaſed alike in *Trent* and at *Rome*, as well becauſe a ſecular Prince medled in Religion, as becauſe, it ſeemed the Councell was caſſeered, in regard, that approaching, order was given to handle elſe-where the controverſies of doctrine. The Prelats in *Trent* blamed the Decree, as it were with one voyce, ſaying it was worſe then that of *Spira*, and marvelling that the Pope, who ſhewed himſelfe ſo quick againſt that, had and did tolerate this, after that the Councell was intimated, and already aſſembled. From this they drew a manifeſt Argument, that their remaining in *Trent* was vaine and diſhonourable. The Legats tried their wits to conſolate, and perſwade them, that all had been permitted by his Holineſſe for a good end. But they replyed, that whatſoever the end was, and what thing ſoever doth follow, the blemiſh, not onely of the Pope and Apoſtolike Sea, but of the Councell and the whole Church will never be taken away. Neither could the Legats reſiſt their complaints, which ended in demanding leave to depart, ſome alledging neceſſary and important affaires of their owne, and ſome to retire themſelves into ſome of the next Cities for infirmitie or indiſpoſition. And though the Legats gave leave to none, yet ſome of them daily took it, ſo that before the end of the moneth, there remained very few. But in *Rome*, though this ſucceſſe was foreſeene by the negotiation of Cardinall *Farneſe*, yet after it happened they began to think more exactly of it. They conſidered that the Emperors ends were much different from the Popes; for he, holding things in ſuſpence, diſpatched his buſineſſe well in *Germany*, giving the Proteſtants hope, that if they pleaſed him, he would not ſuffer the Councell to be opened, and putting them in feare, that in caſe they did not, it ſhould begin and proceed againſt them. Therefore he ever cauſed ſome new emergents to ariſe, which might hold things in ſuſpence, paſſing the time pleaſantly under divers colours, and ſometimes alſo propoſing that it were better to transferre it to another place, giving hope he could be contented it were tranſlated into *Italy*, even unto *Rome*, that the Pope and the Prelats of that Nation might more eaſily hearken to the propoſition, and draw the Councell in length.

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The Emperor is taxed again for medling in Religion.

The Prelats in *Trent* are diſcontented, and moſt of them do depart.

The Emperor deſireth to hold the Councell in ſuſpence.

The Pope was in great ſtraits. Sometimes he had the ancient deſire of his predeceſſors that the Councell ſhould not be celebrated, and condemned himſelfe for having proceeded ſo farre, yet he ſaw that it was ſcandalous and dangerous to him, to ſhew openly that he would not have it, by diſſolving that ſmall congregation which remained in *Trent*. He ſaw cleerely that it was not a good remedy to extinguiſh hereſies. For concerning that which belonged to *Italy*, it was better to provide againſt it by force, and by the office of the inquiſition, whereas the expectation of the Councell hindereth that which is the onely remedy. For *Germany*, it appeared plainely that the Councell did rather make difficult, then facilitate thoſe things.

The Pope is doubtfull what courſe to take.

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things. Beſides, in caſe it were celebrated, he doubted whether he ſhould grant the Emperour the halfe fruits and vaſſalages of the Monaſtaries in *Spaine*. For if he did not, his Majeſty would be angry, and if hee did it, he doubted that the Spaniſh Prelats would diſcover in the Councell that they were alienated from him and the Apoſtolike Sea, for giving that to others which belonged to them. He ſaw likewiſe that the Prelats of the Kingdome were ill ſatisfied, who would think it intolerable to pay the tenths, and be at charges in the Councell. He thought that thoſe of *France* would joyne with them, and incourage them, not for charity, but to hinder the Emperours profit. Therefore hee began to incline to the tranſlation, ſo that it were not carried further into *Germany*, as was treated of in *Wormes*, whereunto he ſaid he would never conſent, though he had an 100. hoſtages, and as many patvnes: and the rather becauſe by transferring it more into *Italy*, into a place more fertile, commodious and ſecure, he thought he avoided the inconvenience of continuing in that ſtate, and letting the Councell lie at anchor, and be drawne in length from ſeaſon to ſeaſon; the worſt reſolution that could be made, for infinite and perpetuall prejudices which might enſue. Beſides, by the time which the tranſlation required, the preſent miſchiefe was cured, which was to have Councell, and a Colloquie, and Diet inſtituted for Religion concurre together, not knowing what end the one or the other might have; a thing diſhonourable, and dangerous, and of bad example; and the Prelats would be ſatisfied by parting from *Trent*. Being thus reſolved, that he might be provided to put it fitly in execution, he ſent to the Legats the Bull of faculty to tranſlate it, dated February 22. of which it hath beene ſpoken before.

The Bull of tranſlation.

Theſe thoughts did not poſſeſſe either the whole, or the principall part of the Popes minde, but he thought much more of infeoffing his ſonne in *Parma* and *Piacenza*, which he had imparted to *Ceſar*, and did effect it in the end of Auguſt, not reſpecting the generall murmuring, that, while the Clergie was to be reformed, the head of it ſhould beſtow principalities upon a ſonne of a damned conjunction. This the whole Colledge took ill, though onely *John Dominicus de Cupis*, Cardinall of *Trani*, with ſome few more, oppoſed it; *John Vega*, the Emperours Ambaſſadour, refuſed to be preſent, and *Margarite* of *Auſtria*, his nephewes wife, ſhewed her ſelfe diſcontented, becauſe ſhe deſired the inveſtiture in the perſon of her husband, for that ſhe loſt the title of the Dutcheſſe of *Camerino*, and got nothing. Afterwards, being wholly imployed in freeing himſelfe from the difficulties and dangers which the Councell brought with it ſtanding thus, neither opened nor ſhut, but ſo as it might ſerve the Emperours turne againſt him, hee reſolved to ſend the Biſhop of *Caſerta* to treat with his Majeſty, propoſing either to have it opened and begun, or ſuſpended for a time, and in caſe that pleaſed not, he was to propoſe the tranſlation of it into *Italy*, to give convenient time to what ſhould be handled in the Colloquie and Diet, or ſome other match, which were not ſo diſhonourable and dangerous for the Church, as to have the Councell remaining ſtill on foot, and the Legats and Prelats idle.

There is much murmuring at the donation of *Parma* and *Piacenza* to a baſtard.

The Pope ſendeth a Nuncio to the Emperor.

This negotiation had many rubs. For the Emperour was reſolute, not to conſent

consent either to suspension or translation; not holding it good for his ends to begin it, he did not absolutely deny any of the things proposed; and having no other course to take, he knew not what to do, but to interpose difficulties to the three propositions. Finally, in the midst of October, hee found out a temper, that the Councell should be opened, and the reformation treated of, forbearing to speak of heresies and points of doctrine, lest they should provoke the Protestants. The Pope, advised hereof by the Nuncio his letters, was touched at the very heart. For hee saw plainely that this was to give the victory into the hands of the Lutherans, and to robbe himselfe of all authority, making him depend of Colloquies and Imperiall Diets, ordaining in them treaties of Religion, and forbidding the Councell to meddle with them, and so to weaken him by alienating his dependants, and to strengthen the Lutherans, by supporting, or not condemning their heresies. And being assured that his and the Emperours interests were so contrary, as that they could not be united, he resolved to conceale his owne ends, and to proceed as best befitted his affaires. Therefore, without shewing any distaste of the answer, he presently replyed to *Caserta*, that, for his Majesties sake, he resolved to open the Councell immediatly, commanding that the acts thereof should begin, and all should proceed with full liberty, and in fit manner and order. This the Pope said in such generall termes, because he would not expresse himselfe, what should be first, or what last, or what treated of, or what wholly left out. For he was resolute to handle the matter of Religion and points of doctrine principally, without alleadging other reason, in case he should be constrained to alleadge any; but that to treat of reformation onely, was a thing never used before, contrary to the reputation both of himselfe and of the Councell. Therefore, the last of October, having imparted all to the Cardinals, by their counsell and advise, he ordained, and wrote also to *Trent*, that the Synod should be opened the next Sunday, called *Gaudete*, in Advent, which was to be the 13. of December.

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The Pope is much offended with the Emperours answer.

He giveth order to begin the Councell the 13. of December.

The Prelats shewed great joy for the newes, seeing themselves delivered from the imminent danger, to remaine long in *Trent*, and do nothing. But a little after the ambiguities were on foot againe. For letters came from the French King to his Prelats, which were three, that they should depart. This seemed to the Legats a thing of the greatest importance, being as it were a declaration, That *France* and the King approved not the Councell. They used all meanes to hinder their departure, telling the Prelats, that the King gave that order when the case was otherwise, & that they ought to expect another, because his Majesty was now informed of the present state, putting them in minde of the scandall that would ensue, in case they did otherwise, and of the offence which other Nations would take. The Cardinall of *Trent*, and the Spanish and Italian Prelats protested against their departure. Therefore in conclusion they took a middle course, which the King commended when he knew it, that the Lord of *Renes* should go to give the King account, and the other two remaine.

The 3. French Prelats are recalled, but two of them are perswaded to remaine.

The last of November, the time prefixed for the opening of the Councell approaching, the Legats wrote to *Rome*, that, to preserve the authority of the

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the Apoſtolique Sea, it were fit, in opening of it, to read and regiſter a Bull, which might command it to bee done; and they made a diſpatch in all diligence that it might come in time. The anſwer, together with the Bull, arrived the eleventh of December. Therefore the Legats commanded a Faſt and Proceſſion the next day, and made a Congregation of all the Prelats, where firſt the Bull was read, and then all treated of, which was to be done the next day, in the Seſſion. The Biſhop of *Eſtorga* propoſed after a pleaſing manner that it was neceſſary to read in the Congregation the Briefe of the Legation and Preſidencie, that all might make profeſsion of their obedience, and ſubjection to the Apoſtolique Sea. The requeſt was approved by almoſt all the Congregation, and accompanied with the particular inſtance of every one. But the Legat *Sancta Croce*, conſidering how farre the demand might reach, and that to publiſh the authority of the Preſidencie, might breed danger to have it limited, thinking it better by keeping it ſecret, to uſe it as occaſion ſerved, anſwered readily, that in the Councell all were but one body, and that it was equally neceſſary to read the Buls of every Biſhop, to ſhew he was ſuch a one, inſtituted by the Apoſtolique Sea; which would be tedious, and, by reaſon of thoſe who daily will come, would ſpend the time of all the Congregations, and ſo he ſtopped the requeſt, and retained the dignity of the Legation, which conſiſted in being unlimited.

The Legats would not ſuffer the Bull of their Legation to be read.

The thirteenth of December came at laſt, when in *Rome* the Pope publiſhed a Bull of Jubilie, where he declared that he had intimated a Councell to heale the wounds of the Church, cauſed by impious heretiques. Therefore he exhorted every one to aſsiſt the Fathers aſſembled therein, with their prayers to God: which to do effectually and fruitfully, they ought to confeſſe themſelves, and faſt three dayes, and during that time, to go in proceſsions, and then to receive the moſt bleſſed Sacrament; granting pardon of all his ſinnes to whoſoever did ſo. The ſame day the Legats in *Trent*, with all the Prelats, in number 25. in pontificall habit, accompanied with the Divines, Clergie, and people of forreine parts, and of the Citie, made a ſolemne Proceſsion, from *Trinity* Church to the Cathedrall; where *Monte*, the prime Legat, did ſing the Maſſe of the holy Ghoſt, in which the Biſhop of *Bitonto* made a long copious eloquent Sermon. That being ended, the Legats cauſed a long written admonition to be read, the ſumme whereof was: that it was their charge during the whole courſe of the councel, to admoniſh the Prelats in occurrences, and that it was fit to begin in that Seſsion, underſtanding that this admonition & all the reſt, were as well made to themſelves as to others, as being of the ſame condition, with them; that the Councel was aſſembled for three cauſes; for the extirpation of hereſie, reſtitution of Eccleſiaſtical diſcipline, and regaining of peace. To execute which things it was fit to have firſt a true & inward ſenſe, what it was to be the cauſe of all thoſe three calamities. Of hereſies, not that they had raiſed them, but that they had not performed their duty in ſowing good doctrine, and rooting out the cockle. Of manners corrupted that there was no need to make mention, it being manifeſt, that the Clergie and Paſtours onely were corruptors, and corrupted, For which things God had alſo ſent the third plague, which

The Councell is opened in *Trent*, and a Jubilie publiſhed in *Rome*.

The Ceremonies uſed.

The admonition of Card. *Monte*.

which was the war, forraine of the Turks, and civill of the Christians. That without this inward and true acknowledgement, their entrance into the Councell, and calling upon the holy Ghost were in vaine. That the judgement of God was just to punish them so deeply, though it were lesse then they deserved. Therefore they exhorted every one to know his owne faults, to mitigate the wrath of God, replying that the holy Ghost, which they had invocated, would not come, if they refused to heare of their own sinnes, and like *Esdras*, *Nehemiah*, and *Daniel*, confesse them. He added that it was a great blessing of God, that there was such an occasion given to begin a Councell, for reformation on all hands. And though contradictors will not be wanting, yet it was their duty constantly to go on, and, as Judges, to avoid passion, and aime onely at the glory of God, in regard they are to performe this duty before him, the Angels and the whole Church. In fine, they admonished the Bishops sent by the Princes, to do their Masters service with faith and diligence; yet preferring the honour of God before all. Afterwards the Bull of the intimation of the Councell in the yeere 1542. was read, and a Briefe of the simple deputation of the Legats, together with a Bull of the opening of the Councell; and immediatly *Alfonso Zorilla*, Secretary to *Don Diego*, stepped forward, and reproduced the Emperours Commission presented before to the Legats, and shewed a letter of *Don Diego*, in which he excused his absence, by reason of his indisposition. For his excuse the Legats said it was worthy to be admitted. For the Commission, though they might insist upon the answer given before, yet they were pleased for greater reverence to receive it againe, and examine it, and make answer afterwards. 1545 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1.

These things being done, according to the rite of the Roman Ceremoniall, all kneeled downe to pray softly, as the use was in all the Sessions, and then they said aloud, *Adsumus Domine, &c. Sancte Spiritus, &c.* Which the President spake with an high voice, in the name of all. The Letany being sung, the Gospel was read by the Deacon, *Si peccaverit in te frater tuus, &c.* And lastly the hymne, *Veni Creator spiritus*, being sung, and all sate downe in their places, the Cardinall of *Monte* pronounced the Decree, with interrogatorie words; reading, whether it pleased the Fathers, for the praise of God, extirpation of heresies, reformation of Church and people, depression of the enemies of Christ, to determine and declare that the holy Tridentine and Generall Councell should begin, and be begun; whereunto all answered, first the Legats, then the Bishops, and other Fathers by the word *Placet*, He then added, whether in regard of the Feasts of the old and new yeere, it pleased them that the next Session should be the seventh of January; and they answered likewise that it pleased them. This being done, *Hercules Severallo*, Speaker of the Councell, desired the Notaries to make an instrument of all. The hymne, *Te Deum laudamus*, was sung, and the Fathers putting off their Pontificall habits, and putting on their common, accompanied the Legats, the Crosse going before. These ceremonies being used in the Sessions following, shall be repeated no more.

The Decree for opening the Councell, and holden the next Session.

Germany and *Italy* were very curious to know the first actions of this assembly, which was begun with so many difficulties, and the Prelats in *Trent*, and

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and thoſe of their family, were charged by their friends to adviſe them of it. Therefore immediatly after the Seſſion, a copie of the Legats admonition, and of the oration of *Bitonto* was ſent into every place; which were quickly printed. Whereof that I may the better tell what was commonly ſpoken, it is neceſſary to relate briefly the contents of the Oration. It began with ſhewing the neceſſity of the Councell, becauſe it is an hundred yeeres ſince that of *Florence*, and becauſe things of difficulty belonging to the Church, cannot well be handled but in it. For in them the Creeds have beene made, hereſies condemned, manners amended, Chriſtian Nations united, armies ſent to conquer the holy land, Kings and Emperours depoſed, and ſchiſmes rooted out. And that for this cauſe the Poets introduce the Councell of the Gods. And *Moyſes* writeth that they were conciliary voyces, the Decree to make man, and to confound the tongues of the Giants. That Religion hath three heads, Doctrine, the Sacraments, and Charity; and that all theſe three call for a Councell. He declared the corruptions entred into them, for reſtauration of which, the Pope, by the favour of the Emperour, Kings of *France*, of the Romans, and of *Portugall*, and of Chriſtian Princes, hath aſſembled the Synod, and ſent his Legats. He made a long digreſſion in commendation of the Pope, and another, not much ſhorter in praiſe of the Emperour; then he praiſed the three Legats, deriving their commendation from the name and ſurname of each of them; and added that the Councel being aſſembled, all ought to meet in it, as in the *Trojan* horſe. He invited the woods of *Trent*, to ſound forth through the world, that all ſhould ſubmit themſelves to that Councell; which if they do not, it will be juſtly ſaid, that the Popes light is come into the world, and men have loved darkneſſe better then the light. He lamented that the Emperour was not preſent, or, at the leaſt *Don Diego*, who repreſented him. He congratulated the Cardinall *Madruccio*, that the Pope had aſſembled in his Citie the diſperſed and wandering fathers. He turned to the Prelats, and ſaid, that to open the gates of the Councel, was to open the gates of Paradiſe, from whence would deſcend living water to fill the earth with the knowledge of the Lord. He exhorted the fathers to amendment, and to open their hearts, as dry ground, to receive it; adding, that if they do it not, yet the holy Ghoſt will open their mouths, though their minds be poſſeſſed with an evill ſpirit, as he did the mouths of *Caiphas* and *Balaam*, leſt, if the Councell ſhould erre, the Church ſhould erre alſo. He exhorted them to lay aſide all paſſion, that they may truly ſay, It ſeemed good to the holy Ghoſt and to us. He invited *Greece*, *France*, *Spaine*, *Italy*, and all Chriſtian Nations to the Marriage. In fine, he turned himſelfe to Chriſt, praying him, by the interceſſion of Saint *Vigilius*, (the tutelary Saint of the valley of *Trent*) to aſsiſt that Councell.

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The contents of the oration, made by the Biſhop of *Bitonto*.

The cenſure of the oration.

The Legats admonition was accounted pious, Chriſtian, modeſt, and worthy of Cardinals, but the Sermon of the Biſhop was judged farre otherwiſe. His vanity and oſtentation of Eloquence was noted by all. But men of underſtanding compared, as an holy ſentence to a wicked, thoſe ingenious and moſt true words of the Legats, that without a good inward acknowledgement, the holy Ghoſt would in vaine be called on, with the ſaying of the Biſhop quite contrary, that, without that, their mouth ſhould be opened

pened by the holy Ghoſt, though their heart remained repleniſhed with a wicked ſpirit. It was thought arrogancy to affirme, that, in caſe thoſe few Prelats erred all the Church would erre; as if other Councels of ſeven hundred Biſhops had not erred, and the Church refuſed their doctrine. Others added that this was not conformable to the doctrine of the Romaniſts, who grant not infallibility but to the Pope, and to the Councell by vertue of the Popes confirmation. But to compare the Councell to the Trojan horſe, an inſidious invention, was noted of folly, and reprehended for irreverence. To have retorted the words of the Scripture, that Chriſt and his doctrine, the light of the Father is come into the world, and men have preferred darkneſſe before the light, making the Councell and doctrine thereof, to bee the Popes light, appeared to the world, which if it were not received, it ſhould be ſaid, men have loved darkneſſe more then light, was eſteemed a blaſphemie, and it was wiſhed that at the leaſt he had not taken the formall words of the holy Scripture, that he might not have ſhewed ſo openly to have diſeſteemed it.

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But in *Trent*, the beginning being made, neither the Prelats, nor Legats themſelves knew what ſhould be handled, nor what order obſerved. Therefore the Legats wrote to *Rome* a letter, worthy to be repeated at large, to give an account of what was done before. Firſt they ſaid they be appointed the next ſeſſion the day after the Epiphanie, as a terme which could not be taxed neither of too long delay, nor too much brevity, that in the meane time they might be adviſed how to governe themſelves in the other ſeſſions, wherein they deſire to have light; and becauſe they might every houre bee interrogated of divers things, for which they could not have ſpace to adviſe and expect an anſwer, they deſired that as particular an inſtruction, as was poſſible, ſhould be ſent them. Above all they deſired advertiſement concerning the manner and forme to proceed, to propoſe, to reſolve, and what matter ſhould be handled. They demanded eſpecially if the cauſe of hereſies ſhould be the firſt, or ſhould be treated of in generall, or in particular, condemning the falſe doctrine, or the perſons of the principall heretikes, or the one and the other together: if the Prelats propoſe an Article of reformation, whereat all ſeeme to aime, whether it ſhould be handled together with the Article of Religion, or before or after: if the Councell ought to intimate its beginning to all people and nations, inviting the Prelats and Princes, and exhorting the faithfull to pray God for it, for if his Holineſſe will do it himſelfe; when there ſhall be occaſion to write ſome letter, miſſive or reſponſive, what forme is to be uſed and what Seale; likewiſe what forme is to be uſed in the extention of the Decrees; if they ſhould take notice of the Colloquie and Diet which will be held in *Germany*, or diſſemble it; if they ſhall proceed ſlowly or ſwiftly, as well in determining the ſeſſions, as in propoſing the matters. They informed that ſome Prelats thought fit to proceed by nations, which they held to be ſeditious; that it would make the Prelats of every one to mutin, and that the greater number of Italians, who are moſt faithfull to the Sea of *Rome*, would help nothing, when the ſuffrage of them altogether would be of equal value with the ſuffrage of a few French men, or Spaniards, or Dutchmen. They ſent advice alſo that it was perceived

The Legats not knowing how to proceed, write to *Rome*.

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that ſome had a deſigne to diſpute of the authority of the Councel, and Pope; a thing dangerous to raiſe a ſchiſme amongſt the Catholikes themſelves; and that in the congregation of the 12. all the Prelats joyntly and earneſtly deſired to ſee the commiſſion of their faculty, which they were conſtrained artificially to avoid, not knowing as yet how their preſidencie ought to be underſtood, and how far his Holineſſe would have it extended. They demanded alſo that order might be taken for the rodes, that every day and houre they might ſend and receive advice, as occaſion ſerved; they deſired ſome order about the precedencie of Ambaſſadours of the Princes, and proviſion of money, in regard thoſe 2000. crownes, ſent them a little before, were ſpent upon ſome poore Biſhops.

The Prelats were earneſt that the work might begin; wherefore the Legats to give them ſome ſatisfaction, and to ſhew they were not idle, called a congregation the 18. day, without propoſing any thing but the manner of living, and converſing, and governing their families. Much was ſaid againſt the uſe brought in, eſpecially in *Rome*, to weare the habit of a Prelat in the ceremonie onely, and at other times of a Secular. Sumptuous apparell, as alſo baſe and ſordide, were equally reprehended: and much was ſaid of the age of their ſervants, but all was referred to be reſolved in another congregation, which was held the two and twentieth, and was wholly ſpent in diſcourſing upon ſuch ceremonies, concluding that a good reformation of the minde was principally neceſſary: wherefore aiming at the ſeemelineſſe which belongeth to their degree, and edification of the people, every one will ſee what he hath to redreſſe in himſelfe, and his familie.

The Pope, underſtanding the Councell was begun, deputed a congregation of Cardinals and Courtiers to ſuperintend, and adviſe concerning the affaires of *Trent*. Conſulting with theſe, he reſolved that things were not as yet ripe enough to ſee cleerely what matters were to be handled, and in what order. Hee cauſed an anſwer to be ſent to the Legats that it beſeemed not the Synod to invite either Princes or Prelats, and leaſt of all to deſire any one to aſſiſt them with prayers, becauſe this he had ſufficiently done himſefe by the Bull of the Jubile, and that by the letters for the convocation of the Councell: that they ought not to think that the Synod ſhould write to any, the Legats having power to ſupply that, by their owne letters written in all their names. Concerning the extenſion of the Decrees, the title ought to be, The moſt holy Oecumenicall and generall Synod of *Trent*, the Apoſtolicall Legats being Preſidents. But for the forme of giving voyces, that their reaſons were very good not to do it by nations; the rather becauſe it was never uſed in ancient times, but was introduced by the Councell of *Conſtance*, and followed by that of *Baſil*; which are not to be imitated. But the form uſed in the laſt *Lateran* Councel being the beſt and moſt decent, they ſhould follow that, by which late example, which ſucceeded well, they might ſtop the mouth of whoſoever propoſed any to the contrary. And concerning the condemnation of the heretikes, & matters to be handled, & other things demanded by them, order ſhould be given in time convenient: in the mean ſpace they ſhould ſpend the time in preãbulary things, according to the

The Popes anſwer.

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cuſtome of other Councels. That they ſhould maintaine their preſidencie with that comlineſſe that beſeemeth the Legats of the Apoſtolike Sea, yet ſo as that they may give ſatisfaction unto all; but, above all, ſhould uſe diligence that the Prelats ſhould not exceed the bounds of honeſt liberty, and reverence towards the Apoſtolike Sea. It was a matter of greater importance to aſſiſt the Prelats that they might be able to maintaine themſelves. Therefore he ſent a Briefe, by which he exempted all the Prelats of the Councell from payment of Tenths, and granted them the participation of all fruits, as well in abſence as preſence: he ſent alſo two thouſand crownes to help the needy Biſhops, giving order they ſhould not care to have it publiſhed; becauſe, in caſe it were knowne, it could not be expounded but for a loving courteſie of the head of the Councell.

The manner of giving voices in the Councell in all ages.

This place requireth, by reaſon of that which hath been, and will be ſpoken in divers occaſions, about the manner of ſpeaking their opinions in the Councell called, *Giving of voyces*, that it ſhould be declared, what the cuſtome was of old, & how this, which is uſed in theſe times, came firſt up. The aſſembling of a whole Church, to handle in the Name of God the occurrences of doctrine and diſcipline, is a thing moſt profitable, uſed by the holy Apoſtles in the choyce of *Matthias*, and the ſeven Deacons: and the Dioceſan Councels are much like to this. But of the meeting of Chriſtians from many remote places to conſult together, there is a famous example in the Acts of the Apoſtles, when *Paul* and *Barnabas*, with others of *Syria*, met the Apoſtles and other diſciples in *Jeruſalem*, who were aſſembled about the queſtion of keeping the Law. And though it may be ſaid that it was a recourſe of the new Churches of the Gentiles, unto the old mother Church, frō whence their faith was derived, a cuſtom much uſed in thoſe firſt ages, & often rehearſed by *Irenie* and *Tertullian*, & though the letter were written by the Apoſtles, Elders, & brethren of *Jeruſalem* only, yet in regard that not they only, but *Paul* & *Barnabas* alſo did ſpeak, it may well be called a Councell; by example whereof the ſucceeding Biſhops thought all Chriſtian Churches to be but one, and likewiſe all Biſhopricks to be but onely one, ſo framed that every Biſhop held a part thereof, not as his owne, but ſo, as that all ought to governe the whole, and every one to imploy himſelfe moſt in that which was particularly recommended to him; as S. *Cyprian*, in his little golden book of the unity of the Church, doth pioufly demonſtrate. In caſe of neceſſity of any particular Church, though the perſecutions ſomtimes waxed warme, as many as could, aſſembled themſelves to make proviſion in common. In which aſſemblies Christ and the holy Ghoſt being preſident, and charity chaſing away all humane paſſion, they adviſed and reſolved of what was fit, without ceremonies or formes preſcribed. But after a certaine time, paſſions of men and charity being mingled together, and there being a neceſſity to governe them with ſome order, the chiefeſt man amongſt thoſe that were aſſembled in Councell, either for learning, or for greatneſſe of the City or Church whereof he was, or for ſome other reſpect of eminencie, took upon him the charge to propoſe and guide the action, and collect the voyces. But after that it pleaſed God to give peace to the Chriſtians, and that the Roman Emperours received the holy faith, there happening more difficulties in doctrine and diſci-

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pline, which, by reaſon of the ambition or other bad affections of thoſe that had followers and credit, troubled the publike quiet, another ſort of Epiſcopall aſſemblies had beginning, congregated by Princes or their Lievtenants, to remedy the troubles. In theſe the action was guided by thoſe Princes or Magiſtrates which did call them together, who alſo were perſonally preſent, propoſing and governing the treaty, and decreeing interlocutorily, the occurring differences, but leaving the diciſion of the principall point, for which the Councell was congregated, to the common opinion of the aſſemblie. This forme appeareth in the Councels, whoſe acts do remaine. The Colloquie of Catholikes and Donatiſts before *Marcellinus* and many others may ſerve for example. But to ſpeak onely of generall Councels, this was done in the firſt Councell of *Epheſus* before the Earle *Candidianus*, ſent Preſident by the Emperour; and more cleerely in that of *Calcedon* before *Martianus* and the Judges by him appointed, in that of *Conſtantinople* in *Trullo* before *Conſtantine* ſurnamed *Poganatus*, where the Prince or Magiſtrate that was Preſident, commanded what ſhould be handled, what order obſerved, who ſhould ſpeak, and who be ſilent, and did decide and accommodate the differences in theſe things. And in the other generall Councell, the acts whereof are not extant, as of the firſt of *Nice*, and the ſecond of *Conſtantinople*, the hiſtorians of that age do witneſſe, that *Conſtantine* and *Theodoſius* did the like. Yet in thoſe times, when the Biſhops themſelves did aſſemble of their owne accord and others medled not, the action was governed as hath beene ſaid, by one of them, and the reſolution taken according to the common conſent. Sometimes the matter was ſo eaſie, that it was diſpatched in one meeting. Sometimes, by reaſon of the difficulty or multiplicity thereof, it was neceſſary to reiterate the buſineſſe, whence proceeded the many Seſſions in the ſame Councell. Not one of them was about ceremony, or only to publiſh what was digeſted elſewhere, but to underſtand the opinion of every one, and the Colloquies, diſcuſſions, diſputes, & whatſoever was done or ſpoken, were called the acts of the Councell. It is a new opinion, and ſeldome practiſed, though eſtabliſhed in *Trent*, that the Decrees onely are called Acts of the Councell, and ought onely to be publiſhed; but in the ancient Councels all was given unto all. Notaries were preſent to collect the voyces, who, when a Biſhop ſpake & was not contradicted, wrote not his proper name, but thus, The holy Synod ſaith. And when many ſaid the ſame thing, it was written, The Biſhops acclaimed, or affirmed, and the things ſo ſpoken were taken for deciſions; if they ſpake in a contrary ſenſe, the contrary opinions were noted, and the names of the authors, and the Judges or Preſidents did pronounce. Sometimes ſome impertinencie did undoubtedly happen by reaſon of ſome mans imperfection; but charity, which excuſeth the defects of ones brother, did cover it. A greater number of the Province, where the Councell was held, and of the borders was preſent; but without emulation, every one rather deſiring to obey, then to give a law unto others. After the Eaſterne and Weſterne Empires were ſeparated, there remained ſtill in the Weſt ſome mark of the ancient Councels, and many were celebrated in *France* and *Germany*, under the poſterity of *Charles* the Great, and not a few in *Spaine*, under the Kings of the *Gothes*. At laſt, Princes being abſolutely debar-

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red to intermeddle in Eccleſiaſticall matters, that kinde of Councell grew in diſuſe, and that alone remained which was called by the Eccleſiaſtikes themſelves; the convocation of which Provinciall Councels was almoſt wholly aſſumed by the Pope, by ſending his Legats to be Preſidents, whereſoever he heard there was a treaty to hold a Councell. And after a certaine time he took that power to himſelfe which the Romane Emperours uſed, to convocate a Councell of the whole Empire, and to be Preſident himſelfe, if he were preſent, or, in his abſence, to ſend Legats to the Preſidents, and to governe the action. But the Prelats, aſſembled in the Synod, being delivered from the feare of a Secular Prince, which kept them in awe, as worldly reſpects, the cauſes of all miſchiefes, did exceedingly increaſe, which cauſed alſo the multiplying of many indecencies, they began to digeſt and order the matters in private, that they might obſerve a decencie in the publike meeting. Afterwards this was obſerved for a forme, and in the Councels, beſides the Seſſions, they began to make Congregations of ſome Deputies, to ſet in order the matters to be treated of, which in the beginning, if they were many, were divided, and a proper Congregation aſſigned to every one. And this being not ſufficient to remove all the indecencies, becauſe thoſe that were not preſent, having different intereſts, made difficulties in publique, beſides the particular Congregation, they made a generall before the Seſsion, where all were preſent; which according to the ancient rite, is the Conciliarie action, becauſe the Seſsion, every thing being done before, remaineth but a pure ceremonie. But a little more then one Age being paſt, private intereſts cauſed a contention to ariſe amongſt the Biſhops of divers Nations. Whereupon thoſe that were remote being few, and not willing to be overcome by the borderers, who were more in number, to make the ballance equall, it was neceſſary that every Nation ſhould aſſemble by it ſelfe, and reſolve according to the number of voices, and that the generall deciſion ſhould bee eſtabliſhed, not by the ſuffrages of particular men, but by the plurality of the voyces of the Nations. So it was obſerved in the Councels of *Conſtance*, and *Baſil*: which uſe as it was good where the government was free, as it was when the world had no Pope, ſo it ill befitted *Trent*, where they deſired a Councell ſubject unto him. And this was the reaſon, why the Legats at *Trent*, and the Court of *Rome*, made ſo great a matter of the forme of proceeding, and of the quality and authority of the Preſidencie.

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Why the Romaniſts made ſo great a matter of the forme of proceeding.

But the anſwer being come from *Rome*, they called the Congregation the fifth of January 1546. where the Cardinal of *Monte* having ſaluted and bleſſed them all in the Popes name, cauſed the ſaid Brief of exemption from payment of tenths to be read. The three Legats made as it were three encomiaſticall Orations, one after another, declaring the Popes good affection towards the Fathers. But ſome Spaniards ſaid that this favour of the Pope brought greater dammage then benefit, becauſe the accepting of it implied a confeſsion that the Pope might lay burthens upon other Churches, and that the Councell had not authority to hinder him, nor to exempt thoſe who by right were not to be included. The Legats were not only diſpleaſed at this, but returned alſo ſome biting termes. Some of the Prelats demanded that

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the grace might be extended to thoſe of their families alſo, and to as many as were preſent in the Councell. The Generals of the religious Orders demanded likewiſe the ſame exemption, alledging the charge of the Monaſteries for the Friars which they brought to the Councell. (*Catalanus Triultius*, Biſhop of *Piacenza*, who arrived two dayes before, related publikely that hee was rifled as he paſſed neere to *Mirandula*, and deſired an order ſhould bee made in the Councell againſt thoſe that hindred or moleſted the Prelats, or others that went to the Councell. The Legats, joyning this propoſe with the foreſaid pretence of exemption, conſidering of what importance it might be, if the Councell ſhould meddle in ſuch a buſineſſe, making Edicts for their owne exaltation, and that this was to touch the ſecrets of the Eccleſiaſticall Hierarchie, put it aſide with much dexterity, alledging it would ſeeme ſtrange to the world, and too great a deſire of revenge, offering to labour with the Pope, that he would provide for the ſecurity of their perſons, and have conſideration of the families of the Prelats, and of the Friars. And ſo they appeaſed all.

And going on to the Conciliary actions, the Cardinall of *Monte* related what forme was obſerved in the laſt *Lateran* Councel, where himſelfe was preſent, as Archbiſhop of *Siponto*. He ſaid, that treating then of the French Pragmatique, of the ſchiſme againſt *Julius* 2. and of the warre betweene Chriſtian Princes, three deputations of Prelats were made for thoſe matters, that each Congregation being employed in one onely, it might better digeſt it; that the Decrees being framed, a generall Congregation was called, where every one ſpake his opinion, and that by thoſe the reſolutions were better reformed, ſo that all things paſſed in the Seſſion with great concord and comlineſſe; that the buſineſſe to be handled by them was more various, the Lutherans having moved every ſtone, to overthrow the building of faith; therefore that it will be neceſſary to divide the matters, and for every one to ordaine a particular Congregation to diſpute it, to cauſe the Deputies to frame the Decrees which are to be propoſed in the generall Congregation, where every one ſhall deliver his opinion: which that it might be abſolutely free, themſelves the Legats did reſolve to be propoſers onely, and not to give their ſuffrage but in the Seſſion. That all ſhould bethink themſelves what was neceſſary to be handled, that ſome beginning might be made in the Seſſion which approached.

Card. *Monte* preſcribeth an order for diſcuſſing matters in Councell.

They propoſed then, whether they were pleaſed that a Decree already framed, concerning Chriſtian converſation while the Councel laſted in *Trent* ſhould be publiſhed in the Seſſion. Which being read with the title, *The moſt holy*, as the commandement from *Rome* was, the French men deſired this addition, *Repreſenting the Church Univerſall*: which opinion many Biſhops did follow with a joynt conſent. But the Legats conſidering that that title was uſed only in the Councel of *Conſtance* and *Baſil*, and that to imitate them, was to renew their memory, and to give them ſome authority, and to open a gap to the difficulties which then troubled the Church of *Rome*; and which imported more, conſidering that after they had ſaid (*Repreſenting the Church Univerſall*) ſome alſo might think to adde the words following, that is, which hath power immediatly from CHRIST whereunto every one, though

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though of Papall dignity, is bound to obey, they oppoſed ſtrongly, and (as they wrote to *Rome* in plaine termes) they whetted themſelves againſt it, without declaring to the Fathers the true cauſes, but only ſaying they were froathy and invidious words, and that the heretikes would have made a bad interpretation of them. And they all ſo laboured, without diſcovering the ſecret, firſt by Art, then by ſaying plainely they would not permit it, that they appeaſed the generall commotion, though the French men and ſome few more remained firme in their propoſition. 1546 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1.

And *John de Salazzar*, Biſhop of *Lanciano*, a Spaniard by Nation, aſſiſted the Legats very much, who having commended in ample termes the firſt Councels of the Church, for antiquity and ſanctity of thoſe that aſſiſted, he deſired they ſhould be imitated in the title uſed by them, which was very plaine, without expreſsing repreſentation, or what, or how great authority the Councell had. But he pleaſed them not, when he ſaid, that, by their example the name of Preſidents ought to be laid aſide, becauſe it was never uſed by any ancient Councell, but begun onely by that of *Conſtance*, which by reaſon of ſchiſme, changed Preſidents often: adding, that if that example were to be followed, it would alſo be neceſſary to nominate the Emperours Ambaſſadour. For then the King of the Romans was named, and the Princes with him. But this pride was farre remote from Chriſtian humility: and he repeated the diſcourſe of the Cardinall *Santa Croce*, which hee made the twelfth of December, by which alſo he concluded, that they ſhould deſiſt to make mention of Preſidencie. This propoſition troubled the Legats more then the former; yet the Cardinall *Monte* ſuddenly anſwered, that Councels have ſpoken diverſly, according to the occurences of the times: that formerly the Pope hath alwayes beene acknowledged, for head of the Church, nor ever any Councell hath beene demanded, with condition it ſhould not depend on the Pope, as the Dutch-men now do with great boldneſſe; unto which hereticall temeritie it was fit to reſiſt in every action, ſhewing they were joyned with the head, which is the Pope, by making mention of his Legats. He ſpake much in this matter, and knowing hee could better maintaine it by diverſion, then perſwaſions, hee was a meanes they ſhould paſſe to another thing. The contents of the Decree was approved by all; but there being one particle in it, in which every one was exhorted to pray to God for the Pope, Emperour, and Kings, the French Prelats deſired there ſhould ſpeciall mention be made of the French King. This the Cardinall *Santa Croce* commended, but added, that the like ſpecification would be expected by all in their place, which would prove a long buſineſſe, and full of danger, by reaſon of precedencie. The French men replied, that in the Bull of the convocation, the Pope had made mention only of the Emperour and French King, and therefore by that example they ſhould name them both, or neither. The Legats took time to think of it, being deſirous to give every one ſatisfaction.

The name of Preſidents was neuer uſed in Councel before the Councell of *Conſtance*.

The ſeventh of January all the Prelats, clad in their ordinary habit, aſſembled themſelves in the houſe of the prime Legat, from whence they went to the Cathedrall Church with the croſſe before them. Out of the Countrey of *Trent* were collected into the Citie three hundred foot, armed partly with pikes,

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pikes, and partly with harquebuſhes, and ſome horſe. Theſe put themſelves in file on either ſide the way, from the houſe of the Church, where the Legats and Prelats being entred, the Souldiers returned to the market place, and diſcharged their harquebuſhes, and remained there to guard the Seſsion. Beſides the Legats and Cardinall of *Trent*, there were preſent foure Arch-biſhops, twenty eight Biſhops, three Abbats of the congregation of *Caſsina*, and foure generals, who ſat in the place of the Seſsion. Theſe forty three perſons made the generall Councel. Of the Archbiſhops, two were titular only, never ſeene in the Churches, from which they had their name, which the Pope gave them, only to do them honor; the one was *Olaus Magnus*, Archbiſhop of *Vpſala* in *Gothland*, the other *Robert Venante* a Scottiſh man, Archbiſhop of *Armagh* in *Ireland*; who, though he were pore-blind, was commended for his vertue, to ride poſt the beſt in the world. Theſe two men, having beene releeved certaine yeeres in *Rome*, by the Popes almes, were ſent to *Trent* to increaſe the number, and to depend on the Legats. About the number of twenty Divines ſtood on their feet; the Ambaſſadour of the King of the Romans, and the Proctor of the Cardinall of *Ausburg* were preſent, and ſate upon the Ambaſſadours bench, and neere unto them, upon the ſame bench, ſate ten Gentlemen, choſen out of the bordering places by the Cardinall of *Trent*. *John Fonſeca*, Biſhop of *Caſtelamare* ſaid Maſſe, and *Coriolanus Martiranus*, Biſhop of S. *Mark*, made the Sermon.

When the Maſſe was ended, the Prelats put on their Pontificall habits, and then the Letanie and Prayers were ſaid, as in the firſt Seſsion. After this all ſate downe, and the Biſhop that ſaid Maſſe, mounting into the Pulpit, read the forenamed Bull, againſt admitting to give voyce the Proctors of thoſe that were abſent, without mentioning the other, where thoſe of *Germany* were expected. Then he read the Decree, in which the Synod exhorted all the faithfull aſſembled in *Trent*, to live in the feare of God, and daily to pray for the peace of Princes, and unity of the Church, and thoſe of the Councell to ſay Maſſe, at the leaſt on Sundaies, and to pray for the Pope, Emperour, Kings, and Princes, and all to faſt, give almes, to be ſober, and to inſtruct their families. It exhorted alſo all men, eſpecially the learned, to bethink themſelves exactly how to reſiſt hereſies, and in the aſſemblies to uſe modeſty in ſpeaking. And it ordained beſide, that if any ſat not in their place, or gave not voice, or was not preſent in their congregations, he ſhould not receive any prejudice, or gaine any new right. The Fathers being interrogated, after this was read, they anſwered, *it pleaſed them*. But the French men added, that they approved not ſo bare a title, and required an addition of *Repreſenting the univerſall Church*. In fine, the next Seſsion was appointed the fourth of February, and the Fathers had leave to depart; who putting off their Pontificall habits, did, in their ordinary apparell, accompany the Legats home in the ſame order they came to Church; which was obſerved in all the Seſsions afterward.

After the ſeſsion there was no congregation held untill the thirteenth of January, becauſe *Peter Pacceco*, Biſhop of *Jaben*, lately created Cardinall, who expected the hat from *Rome*, without which the Ceremony gave him not leave to go abroad, had a deſire to be there, becauſe order was to be taken therein,

therein, that no inconveniences ſhould happen in the ſeſſion. The congregation being aſſembled, the Legats complained of thoſe, who in the ſeſſion had oppoſed the title; they ſhewed it was not ſeemly to cauſe diverſity of opinions to appeare in that publike place; that the congregations were made that every one might deliver his minde more privatly, and all agree in that which was to be publiſhed; that nothing would more daunt the heretikes, and encourage the Catholikes, then the fame of union. They deſcended to the matter of the title, and ſaid, that none was more fit then that which the Pope had given in the Convocation, and in ſo many other Buls, where it was called, Oecumenicall and univerſall; unto which it was ſuperfluous to adde *(repreſentation)* in regard whole books declare what a Councell lawfully called, and begun, is, and doth repreſent; that by doing otherwiſe they ſhould ſeeme to make doubt of the authority thereof, and reſemble it to ſome other Councell, unto which they gave that title, being willing to ſupplie with words the lawfull authority which they knew it wanted, glancing at that of *Baſil* and *Conſtance*; but to make a firme reſolution they would have every one deliver his opinion. 1546 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1.

The Cardinall *Paceeco* began to ſay, the Councell was adorned with very many titles, which if they were uſed in all occaſions, the expreſſion of them would be greater then the body of the Decree. But as a great Emperour poſſeſſour of many Kingdomes and States, uſeth in his Edicts the title only from whence they have force, and often putteth his owne name to them without any title at all; ſo this Councell, according to the Subjects that ſhall be handled, ought to uſe many titles to expreſſe its authority; but now that they are in the preparatories, there is no neceſſity to uſe any of them at all. The Biſhop of *Feltre* put them in minde, that the Proteſtants deſired a Councell where themſelves might have a deciſive voice; ſo that if this title be given to the Councell, that it repreſenteth the Church univerſall, they will draw an argument from hence, that ſome of every order of the univerſall Church ought to be preſent. Theſe being two, the Clergie and the Laity, it cannot be intirely repreſented, if the Laity be excluded. But for the reſt, thoſe alſo of the Councell who aſſented to the ſimple title, were of opinion that it ought to be ſupplied. The Biſhop of Saint *Mark* ſaid that the Laikes are moſt improperly called the Church. For the Canons determine that they have no authority to command, but neceſſity to obey, and that this is one of the things which the Councell ought to Decree, that the Seculars ought humbly to receive that doctrine of faith which is given them by the Church, without diſputing or thinking further on it, and therefore that it is very meet to uſe the title, that the Synod repreſenteth the Church univerſall, to make them underſtand that they are not the Church, but ought to hearken to, and obey the Church. Many things were ſpoken and they went on without any firme concluſion, but onely that the ſimple title ſhould be uſed in the next ſeſſion, as it was in the laſt. A diſpute about the title of the Councell.

When this was ended, becauſe certaine Prelats deſired, that at the laſt they might come to matters ſubſtantiall, the Legats, to give them ſatisfaction, propoſed that they ſhould conſider of the three heads contained in the Popes Buls; that is, the extirpation of hereſies, reformation of diſcipline, and

1546 and eſtabliſhing of peace; how they ſhould begin theſe treaties, what courſe they ſhould hold, and how proceed; that they ſhould pray God to illuminate them all, and every one ſhould ſpeak his opinion in the firſt congregation. In the end ſome commiſsions from abſent Biſhops were preſented; and the Arch-biſhop of *Aix*, the Biſhops of *Feltre* and *Aſtorga* were deputed to conſider of their excuſe, and relate in the Congregation.

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The next day the Legats wrote to *Rome*, that it appeared that the amplification of the title, with addition of *Repreſenting the Church Univerſall*, was a thing ſo popular and ſo pleaſed all, that it might eaſily be ſpoken of againe: and therefore they deſired to know his Holineſſe pleaſure if they ſhould perſiſt in denying it, or yeeld unto them, eſpecially upon occaſion of making ſome Decree of importance, as to condemne hereſies, or the like. They gave advice alſo, that they had made the propoſition for the next Congregation ſo generall, that they might yeeld to the deſire of the Prelats, which was to enter into the ſubſtantiall points, and yet interpoſe time that they might receive inſtruction from his Holineſſe. They added that the Cardinall *Pacceco* had advice, that the Emperour had given order to many Spaniſh Biſhops, men of exemplarie lives, and learning, to go to the Councell. Therefore they thought it neceſſary, that his Holineſſe ſhould ſend ten or twelve Prelats, whom he might truſt, men fit to appeare for their other qualities, that the number of the *Oltramontans* increaſing, eſpecially men rare, of exemplaritie and learning, they might in ſome part be encountred. For amongſt thoſe that untill then were in *Trent*, thoſe that had good minds had little learning, and leſſe diſcretion; and thoſe that had underſtanding, were diſcovered to have deſignes, and hard to be governed.

The Legats deſire to make their party ſtrong.

The Imperialiſts deſire to begin with reformation.

In the next Congregation, aſſembled the eighteenth, to underſtand the minds of all, concerning the Propoſitions made in the laſt, the opinions were foure. The Imperialiſts ſaid, that the points of doctrine could not be touched, with hope of any fruit, becauſe it was firſt neceſſary to remove the tranſgreſsions, from whence the hereſies aroſe, by a good reformation, enlarging themſelves very much in this field, and concluding that ſo long as the ſcandall which the World receiveth, by the deformation of the Clergie, ceaſeth not, nothing that they can ſay or preach will ever be beleeved, all being perſwaded that deeds ought to be regarded, and not words. And that they ought not to take example by the ancient Councels, becauſe in them either there was not corruption of manners, or that was not cauſe of hereſie; and in fine, that to deferre the treaty of reformation, was to ſhew themſelves incorrigible.

Some few others thought fit to begin with doctrine, and then to paſſe to reformation, alledging that faith is the ground and foundation of Chriſtian life; that no man begins to build from the roofe, but from the foundations; that it is a greater ſinne to erre in faith then in other humane actions; and that the point of rooting out hereſies was put firſt in the Popes Buls. A third opinion was, that the points of reformation and faith might ill bee ſeparated, becauſe there was no doctrine without abuſe, nor abuſe which drawed not after it the bad interpretation and bad ſenſe of ſome doctrine.

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Therefore it was neceſſary to handle them at the ſame time, for that the world having their eyes fixed upon this Councell, and expecting a remedy as well in matters of faith as manners, it would be ſatisfied better by handling them both together, then one after another: eſpecially if according to the propoſition of the Cardinall of *Monte*, divers deputations were made, and one handled this matter, and the other that, which ſhould bee done quickly, conſidering that the time preſent, when Chriſtendome had peace, was precious, and not to be loſt, not knowing what impediments the time to come might bring. And the rather, becauſe they ſhould ſtudy to make the Councell as ſhort as they could, that the Churches the leſſe while might remaine deprived of their Paſtours, and for many other reſpects, intimating that which might ariſe in length of time, to the diſtaſte of the Pope and Court of *Rome*. 1546 PAUL 3. CHARLES 5. HENRY 8. FRANCIS 1.

Some others, among whom were the French men, demanded, that that of the peace might be the firſt: that they ſhould write unto the Emperour, the moſt Chriſtian King, and other Princes, giving them thanks for the convocation of the Councel, for continuance whereof that they would eſtabliſh peace, and help the work forward, by ſending their Ambaſſadours and Prelats; and likewiſe ſhould write friendly to the Lutherans, inviting them charitably to come to the Councell, and joyne themſelves with the reſt of Chriſtendome. The Legats, underſtanding the opinions of them all, and commending their wiſdome, ſaid, that becauſe it was late, and the conſultation of weight, and the opinions various, they would think of what every one had ſaid, and, in the firſt Congregation, propoſe the points to be determined.

Order was taken that there ſhould be two Congregations every weeke, on Munday and Friday, without warning: and in the end the Archbiſhop of *Aix*, having received letters from the moſt Chriſtian King, ſaluted the Synod in his Name, and promiſed that his Majeſty would ſuddenly ſend an Ambaſſadour, and many Prelats of his Kingdome; and ſo the Congregation ended. Two Congregations every week, without intimation.

The Legats ſent advice of all to *Rome*, and wrote that they had drawne in length the reſolution of the things that were handled, under the pretences before related, but in truth to gaine more time, that they might receive inſtructions and orders how to governe themſelves; beſeeching his Holineſſe againe to make his will knowne, and to conſider above all, that to prolong the Councell, and hold it open, when he might make it ſhort, was not good for the Apoſtolike Sea: adding, that they were conſtrained to hold two Congregations every weeke, to keep the Prelats in exerciſe, and to take occaſion from them to make them by themſelves. But they ſaid that this would draw on the buſineſſe very faſt, and therefore that it was neceſſary to take ſome courſe to reſolve their propoſes quickly, and not to deferre to anſwer them, as hitherto hath beene done, but to adviſe them what they ought to do preſently, and to foreſee, as much as might be, what could happen. And ſeeing they had written oftentimes, that many poore Biſhops came to the Councell, for the hope and good promiſes which his Holineſſe and Cardinal *Farneſe* had given them, they then repeated it, adding, it was an error to think

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to uſe them as homely in *Trent*, as in *Rome*, where, having no authority, they are humble and in ſubjection; but when they are in the Councell, they think they ſhould be eſteemed and maintained, which if it be not done, it were better not to have them in that place, then to have them there ill ſatisfied, and diſtaſted, concluding that that enterpriſe could not ſucceed well, without diligence and coſt.

It may generally ſeeme ſtrange, that the Pope, a wiſe man, and skilfull in the affaires of the world, ſhould not give anſwer unto two particulars, of ſuch importance & neceſſity, in ſo long a time, after ſo many inſtances of his miniſters. But his Holineſſe grounded not his hopes upon the Councell, all his cogitations were turned toward the warre, which the Cardinall *Farneſe* treated with the Emperour the yeere before, and could not forbeare to make demonſtration thereof: neither did the Emperour deſire the Councell ſhould proceed, it being ſufficient for his ends that it was opened onely.

The Pope is more intent upon the war againſt the Proteſtants, then upon the Councell.

But the Prelats, who deſired to begin with reformation, and leave the doctrine behind, aſſiſted by the Emperours Miniſters, aſſayed to draw the others to them: which thing being very eaſie, becauſe the reformation was generally deſired, and not much believed, their number grew ſo great, that the Legats were confounded. Therefore by themſelves and their friends they often dealt privately with divers, and laſtly, in the congregation of the 22. day, all three one after another ſet themſelves to ruine the foundations which were laid in favour of the reformation. One reaſon, drawne from the Emperours propoſition in the Diet of *Wormes* the laſt May, made a great impreſſion, when he ſaid they ought to expect what the Councell would do in the definitions of doctrine, and in the reformation; and, that if nothing were done, he would intimate another Diet, to accommodate the differences of Religion, and correct the abuſes: arguing from hence, that if they handled not the points of doctrine, the determinations of the future Colloquie and Diet would be canonized; neither could they with reaſon hinder them to treat of Religion in *Germany*, which themſelves refuſed to do in the Councell.

A controverſie how to begin, whether with reformation, or doctrine, or with both together.

There was a great rich Prelat in the congregation, who, with a premeditated ſpeech, went about to ſhew, that they ought onely to aime at the reformation, aggravating much the common deformation of the whole Clergie, and inculcating, that ſo long as our veſſels were not cleanſed, the holy Ghoſt would not dwell in them, and by conſequence, that no right judgement could be expected in matters of faith.

But the Cardinall *Santa Croce* taking from hence occaſion to ſpeak, ſaid, that there was no reaſon to deferre the reformation of themſelves, who were to manage the Councell; but that was eaſie and ready, and might ſuddenly be executed, without delaying the points of doctrine, which were intricate of themſelves, and of long digeſtion. He much commended that Prelat for making mention of a thing ſo holy, and of ſo good example: for beginning from themſelves, they might eaſily reforme all the reſt of the world; and hee earneſtly exhorted all to come to the practiſe thereof. This opinion was much commended by all, but not followed; for many ſaid, the reformation ought to be generall, without looſing time in that particular. Therefore

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they all concluded, except two, that the Articles of Religion and reformation ſhould be handled together, as they are alike deſired, and deemed neceſſary by the whole world, and joyntly propoſed in the Popes Buls. The Legats were content with this reſolution, though they rather deſired to treat of faith, and leave the reformation. But ſo great was their feare that they ſhould be conſtrained to handle reformation alone, that they thought it a great victory to joyne them together. And they thought alſo that their opinion to leave the reformation was dangerous, becauſe they ſhould reſiſt all the Prelats and States of Chriſtendome, who deſired it, which they could not do without much ſcandall, and infamie. If this courſe which they took, being conſtrained thereunto by meere neceſſity, ſhould not pleaſe thoſe at *Rome*, they could not complaine of any but themſelves, who were ſo often ſolicited to anſwer the letters, and ſend neceſſary inſtructions. 1546 Paul 3. Charles 5. Henry 8. Francis 1.

A reſolution made to handle doctrine and reformation together.

Afterwards it was reſolved to write to the Pope to thank him for calling and opening the Councel, and to deſire him to maintaine and favour it, and to be a meanes unto Chriſtian Princes to continue peace among themſelves, and excite them to ſend Ambaſſadours to the Councell. They reſolved alſo to write to the Emperour, the French King, Kings of the Romans, of *Portugal*, and other Catholike Princes, to preſerve peace, to ſend Ambaſſadours, ſecure the wayes, to move their Prelats to appeare perſonally in the Councell. The care of writing theſe letters was committed to the Biſhop of Saint *Marke*, and were to be read and ſealed in the next congregation.

The Legats publiſhed two points to be conſidered of by the Fathers, whereof they were to give their voices. The firſt, whether in the nex Seſſion the heads of faith, and thoſe of reformation which were correſpondent, ſhould be handled together. The ſecond, how to proceed in making choice of the two heads, and in handling and examining them. The Legats thought they had by theſe propoſitions disburthened themſelves of the importunate queſt made by ſome, to eſtabliſh ſome ſubſtantiall point in every congregation, and withall to have ſhewed that they held the Prelats in eſteeme.

The next congregation was ſpent in reading many letters, and diſputing what Seale to uſe. Some propoſed they ſhould be ſealed in lead, with a Bull proper to the Synod, in which ſome would have on the one ſide the image of the holy Ghoſt in the forme of a Dove, and the name of the Synod on the other, and ſome deſired other formes, all which were glorious. But the Legats, who had another order from *Rome*, ſuffering the Fathers to diſpute hereon, diverted the propoſition by ſaying it ſavoured of pride, and protracted the time, becauſe they muſt ſend to *Venice* to make the forme of it, in regard no Artiſan in *Trent* was able to do it; adding that it might be better thought of afterwards, and that it was neceſſary to diſpatch the letters now, which might be done by the name and ſeale of the Prime Legat. That which remained was put off untill the next Congregation. A Congregation.

In the which, the two points before propoſed were diſcuſſed; and concerning A Congregation.

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cerning the firſt, there were two opinions. One that the Decree ſhould be framed and publiſhed: the other that it was not good to tie themſelves with a Decree, but to keep their liberty, and reſolve as occaſion ſhould ſerve. They took a middle courſe; to make mention onely that the Synod was principally aſſembled for theſe two cauſes, without going any further. But for the ſecond point, the major part were of opinion, that they being aſſembled to condemne the Lutheran hereſie, they ſhould follow the order of their confeſsion; which others contradicted, becauſe it was an imitation of the Colloquies in *Germany*, which would debaſe the dignity of the Councell. And the two firſt heads of the Auguſtan confeſsion being of the Trinity, and incarnation, in which there was no ſubſtantiall difference, though they were expreſſed after a nevv manner, and unuſuall in the Schooles, if they ſhould be approved, reputation would be given them, and they could not ſo well condemne the reſt; and in caſe they would neither approve nor condemne them, and ſpeak of them not with the termes of that confeſſion, but of the Schooles or others, there was danger to raiſe new diſputes and new ſchiſmes. The Legats, who aimed at nothing but to drive out the time, were glad to heare the difficulties, and did carefully cheriſh them, ſometimes encouraging one, and ſometimes another.

The Legats were perplexed for want of inſtruction.

The time prefixed for the Seſſion approaching, the Legats, having received no inſtruction from *Rome*, were much perplexed. For to paſſe that Seſſion, as the former, in ceremonies onely, was to loſe all reputation; and to handle any matter was dangerous, becauſe they had not their mark prefixed whereat to aime. That which ſeemed to have leaſt perill, was to frame a Decree upon the reſolution taken in the congregation, to handle the points of faith and reformation together: whereunto oppoſition was made, that it was to binde themſelves, and to determine that in the congregation, which was undecided by the Pope. In this ambiguity it was propoſed that they ſhould make a delatory Decree, under pretence that many Prelats were in their journey, and would ſhortly come thither. Cardinall *Poole* told them, that in regard a confeſſion of faith hath beene in all the ancient Councels, the ſame ſhould be done in that Seſſion, publiſhing that of the Church of *Rome*. At the laſt it was reſolved to make the Decree with a ſimple title, and to make mention therein that they ought to treat of Religion and reformation; but in ſuch generall termes, that the Creed might be recited, and paſſed over, making another Decree to deferre the materiall points untill another Seſſion, alleadging for a reaſon, that ſome Prelats were ready to ſet forward, and ſome in their journey already: and to prolong the terme of the next Seſſion as long as they could, for feare of being brought into the like ſtraits: yet ſo, as not to put it off untill after Eaſter.

When this was framed, they imparted it to the Prelats they truſted moſt, amongſt whom the Biſhop of *Bitonto* put to their conſideration, that to make a Seſſion to eſtabliſh a Creed, made 1200. yeers before, and continually beleeved, and now abſolutly accepted by all, might be laughed at by thoſe that were envious, and ill expounded by others. That they cannot ſay they follow the Fathers example in this: becauſe they have either made a confeſſion againſt the hereſies they did condemne, or repeated the former made

made againſt the hereſies already condemned, to give them greater authority, adding ſome thing for declaration, or to reduce it into memory, or to ſecure it againſt oblivion. But now neither a new confeſsion was compoſed, nor a declaration adjoyned. To give them more authority belonged not to them, nor to that age. To recall it into memory, in regard it was repeated every week in all Churches, and was in the freſh memory of every one, was a thing ſuperfluous, and affected. That the heretikes ought to be convinced by the confeſsion, was true of thoſe who erred againſt it: but it was not ſo of the Lutherans, who beleeved it as the Catholikes. If when this preparation ſhall be made, the confeſsion bee never uſed to this purpoſe; it will be thought to be done to no other end then to entertaine the time, and to ſprinkle Court-holy water, not daring of touch the points of doctrine, nor being willing to meddle with the reformation. He thought it better to interpoſe delay, in regard of the expectation of the Prelats, and ſo to end the Seſsion. 1546 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1.

The Biſhop of *Chioza* added, that the reaſons alleadged might ſerve the heretikes turnes, by ſaying, that if the confeſsion can ſerve to convert infidels, overcome the heretikes, and confirm the faithful, they could not enforce them to beleeve any thing beſides. The Legat judged not theſe reaſons to be ſo ſtrong as the contrary, that not to make a Decree was loſſe of reputation. Therefore they reſolved on that ſide, and fitted ſome words better, according to the adverti ſement of the Prelats, and propoſed the Decree in the Congregation of the firſt of February. Of this many things were ſaid; and though it was approved by the major part, yet in the end of the Congregation it gave diſtaſte, and ſome of the Prelats ſaid, reaſoning among themſelves, it will be ſaid, that by a work of twenty yeeres time, it hath beene concluded, that we ſhould be brought to heare the Creed repeated.

The fourth day, deſtinated for the Seſsion, they went to Church with the ſame ceremonies and company; in which *Peter Tragliavia*, Archbiſhop of *Palermo*, ſang Maſſe, *Ambroſe Catarin* of *Siena*, a Dominican Friar, Archbiſhop of *Torre*, read the Decree: the ſubſtance whereof was, that the Synod, conſidering the importance of the two points to be treated of, that is, the extirpation of hereſies, and reformation of manners, exhorteth all to truſt in God, and arme themſelves with ſpirituall weapons, and that their diligence may have both beginning and progreſſe from the grace of God, it determineth to begin from the confeſsion of faith, imitating the examples of the Fathers, who in the principall Councels, in the beginning of the actions, have oppoſed that buckler againſt the hereſies, and ſometimes have converted the infidels, and overcome the heretikes with that alone; in which all that profeſſe Chriſtianity do agree. And here the whole was repeated word by word, without adding any other concluſion. And the Archbiſhop asked the Fathers, whether the Decree pleaſed them. All anſwered affirmatively, but ſome with conditions and additions of no great moment, yet ſuch as diſpleaſed the Cardinall of *Monte*; who liked not they ſhould deſcend to particulars in the Seſsions, fearing that when ſome matter of weight was to be treated of, ſome inconvenience might ariſe. Afterwards the other Decree was read, intimating the Seſsion for the eighth of Aprill, alleadging for a cauſe

The Seſsion.

The Decree is read.

The eighth of Aprill is appointed for the next Seſsion.

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cauſe of the delay, that many Prelats were in a readineſſe to come, and ſome were in the journey, and for that the deliberations of the Synod will be more eſteemed when they ſhall be ſtrengthened by the counſell and preſence of more Fathers; yet ſo, as that they would not deferre the diſcuſſion and examination of what ſeemed fit to be handled preſently.

The Court of *Rome*, who ſtood all amazed at the very name of reformation, was well pleaſed to heare that the Councell entertained it ſelfe in preambles, hoping that time would bring forth ſome remedy. And the Courtiers that had intemperate tongues, exerciſed their gibing, publiſhing divers bitter Paſquins, as then the cuſtome was in all accidents, ſome commending the Prelats aſſembled in *Trent*, for making a moſt noble Decree, worthy of a generall Councell, and ſome exhorting them to underſtand their owne worth and knowledge.

Paſquins made againſt the Seſſion.

The Legats in giving the Pope an account of the Seſſion held, ſent alſo advice, that it would be hard to oppoſe, and overcome thoſe who deſired to finiſh the title, with the repreſentation of the Church univerſall; yet they would endeavour to remove the difficulties. But that it was impoſſible to entertaine the Prelats any more without comming to, and doing ſome eſſentiall matter; and therefore that they expected the order and inſtruction which they ſo often had demanded. That for their parts they thought it fit to handle thoſe points of the holy Scripture, which were in controverſie betweene them and the Lutherans, and the abuſe brought into the Church in that matter; which things would much ſatifie the world, and offend no man: and they would expect an anſwer for this, there being ſpace enough to examine thoſe matters, and many occaſions to drive out the time untill the beginning of Lent.

The Legats give the Pope an account of the Seſſion.

But though the Councel was then opened, and ſtill celebrated, the affaires of *Germany* continued the ſame. In the beginning of the yeere the Elector *Palatine* brought in the uſe of the Chalice, the popular tongue in publike prayers, the marriage of Prieſts, and other things which were reformed before in other places. And thoſe that were appointed by the Emperour to be preſent in the meeting, to finde out a way to compoſe the differences of Religion, met together at a Colloquie in *Ratiſbon*. The Emperour deputed for Preſidents the Biſhop of *Eicſtat*, and the *Conte* of *Furſtemberg*: but no good fruit grew thereof, by reaſon of the ſuſpicions which one part conceived againſt the other, and becauſe the Catholikes omitted no occaſions to give greater jealouſies to the other ſide, and to faine them of their owne, which finally made the Colloquie to diſſolve.

The affaires of *Germany* continue the ſame. The *Palatine* embraceth the reformed Religion.

The fifteenth of February *Martin Luther* died alſo. Theſe newes being ſent to *Trent* and *Rome*, there was not ſo much griefe for the change of Religion in the *Palatinate*, as joy that the Colloquie ſucceeded not well, but tended to diſſolution, and that *Luther* was dead. The Colloquie ſeemed another Councell, and gave great jealouſie; becauſe, if any thing had beene accorded, they ſaw not how the Councell could after reject it; and, if it had beene accepted, it would ſeeme that the Councell received lawes from another place. And by all meanes the Colloquie being on foot, and the Emperours miniſters there preſent, it brought ſmall reputation to the Councell and

Martin Luther dieth.

The Romaniſts rejoyce at his death and at the diſſolution of the Colloquie without fruit.

and the Pope. The Fathers in *Trent*, and the Court in *Rome* conceived great hope, ſeeing that ſo potent an inſtrument, to contradict the doctrine and rites of the Church of *Rome*, was dead, who was the principall, and almoſt the totall cauſe of the diviſions and innovations introduced, and held it for a preſage of the good ſucceſſe of the Councell; and the rather becauſe that death was divulged throughout *Italy*, with many prodigious and fabulous circumſtances, which were aſcribed to miracle, and the vengeance of God, though there were but the uſuall accidents, which do ordinarily happen in the deaths of men of ſixtie three yeeres of age: for in that age *Martin Luther* died. But thoſe things that happened afterwards even untill our age, have declared that *Martin* was onely one of the meanes, and that the cauſes were more potent and ſecret. 1546 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1. Fables raiſed upon *Luthers* death.

The Emperour being arrived in *Ratisbon*, complained grievouſly that the Colloquie was diſſolved, and wrote letters thereof throughout all *Germany*; which were laughed at, becauſe it was too much knowne that the ſeparation was wrought by the Spaniards and Friars, and by the Biſhop of *Aiſtat*, whom he had ſent. And when the workmen are knowne, it is not hard to judge whence the beginning of the motion doth proceed. But the wiſe Emperor was willing to uſe the ſame thing to ſatisfie the Pope and the Councel, and to finde an occaſion againſt the Proteſtants; which the event ſhewed to bee true. For the ſame complaints being renewed in the Diet, and meanes of agreement being ſought by thoſe that were aſſembled, the Miniſters of *Mentz* and *Triers* ſeparating themſelves from the other Electors, and adhering to the other Biſhops, approved the Councell, and deſired the Emperour to protect it, and to cauſe the Proteſtants to be there, and ſubmit themſelves to it. But they did reſiſt and remonſtrate that that Councell had not thoſe qualities and conditions ſo often promiſed, and deſired that the peace might be kept, and the differences in Religion according in a lawfull Councell in *Germany*, or in an Imperiall Diet. But in the end the maskes were removed, and the proviſions for warre could no longer be hid; whereof mention ſhall be made in its proper place. The Pope conſidered very much of the letter written from *Trent*, weighing the inconveniences that would follow, if he kept the Councell at anchor, with the ill ſatisfaction of the Biſhops that were there, and the miſchiefe that might ariſe if the reformation ſhould begin. In fine, perceiving that it was neceſſary to put ſomething to the hazzard, and that it was wiſdome to avoid the greater evill, he reſolved to write back to *Trent*, to begin the action as they had adviſed, admoniſhing them not to broach any new difficulties in matter of faith, nor to determine any of the things controverſed amongſt the Catholikes, and to proceed ſlowly in the reformation. The Legats, who untill then had in the Congregations entertained themſelves in generall matters, having received power to go on, propoſed in the Congregation of the 22. of February, that the firſt foundation of faith being eſtabliſhed, they ought in the next place to handle another more ample, which is the holy Scripture, wherin are points belonging to the doctrines controverted with the Lutherans, and others, for reformation of thoſe abuſes which are moſt principall, and neceſſary to be amended; and ſo many, that perhaps the time untill the next

The Emperours letters concerning the Colloquie were laughed at.

The proviſions for warre were known.

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Seſſion will not be ſufficient to finde a remedy for all. They diſcourſed of the controverſies with the Lutherans in this ſubject, and of the abuſes, and much was ſpoken hereof by divers Prelats.

The Divines begin to be eſteemed.

The Divines, who were thirty in number, and almoſt all Friars, had untill then ſerved in the Councell onely to make Sermons on Holy-dayes, in exaltation of the Councell and the Pope, and to make light skirmiſhes with the Lutherans; but now that controverted doctrines were to be decided, and the abuſes of learned men rather then of others to be reformed, their worth began to appeare. And order was taken that in the points of doctrine to be decided, Articles ſhould be extracted out of the books of the Lutherans contrary to the orthodox faith, to be ſtudied and cenſured by the Divines, that every one ſpeaking his opinion of them, the matter might be prepared to frame the Decrees, which being propoſed in the Congregation, and examined by the Fathers, when every mans voyce was knowne, that might be eſtabliſhed which was to be publiſhed in the Seſſion. And for the abuſes, every one ſhould call to minde what he thought worthy of amendment, together with the remedy fit for it.

The Articles for matter of doctrine, drawne out of the Lutherans books, were,

1. That the neceſſary doctrine of Chriſtian faith, is wholly conteined in the holy Scripture, and that it is an humane invention, to adde unto them unwritten Traditions, as left unto the holy Church by Chriſt and his Apoſtles, derived unto us by meanes of the continuall ſucceſſion of Biſhops, and that it is ſacriledge to defend that they are of equall authority with the old and new Teſtament.

2. That amongſt the books of the Old Teſtament, none ſhould be reckoned but thoſe that have beene received by the Jewes, and in the, New the ſix Epiſtles, that is, that under the name of S. *Paul* to the Hebrewes, that of S. *James*, the 2. of S. *Peter*, the 2. and 3. of S. *John*, one of S. *Jude*, and the *Apocalyps*.

3. That to underſtand the Scripture well, or to alledge the proper words, it is neceſſary to have recourſe to the texts of the originall tongue in which it is written, and to reprove the Latine tranſlation, as full of errours.

4. That the divine Scripture is moſt eaſie and perſpicuous, and that to underſtand it, neither gloſſe nor comment is neceſſary, but onely to have the ſpirit of a ſheep of Chriſts paſture.

5. Whether Canons, with Anathematiſmes adjoyned, ſhould be framed againſt all theſe Articles.

Upon the two firſt, the Divines diſcourſed in foure Congregations; and in the firſt all agreed, that the Chriſtian faith is conteined partly in the Scripture, and partly in Traditions; and much time was ſpent in alleadging for this, places of *Tertullian*, who often ſpeaks of them; and many were numbred out of *Irenie*, *Cyprian*, *Baſil*, *Auſtin*, and others; yea ſome ſaid more, that Tradition was the onely foundation of the Catholike doctrine. For the Scripture it ſelfe is not beleeved but by Tradition. But there was ſome difference how this matter might fitly be handled.

Vicenzo Lunello, a Franciſcan Friar, was of opinion, that, in regard the holy

holy Scripture and traditions were to be eſtabliſhed for ground of faith, they ought firſt to treat of the Church, which is a more principall foundation. For the Scripture receiveth authority from it, according to the famous ſaying of Saint *Auguſtine*: I would not have beleeved the Goſpell if the authority of the Church had not compelled me; and no uſe can be made of traditions, but by grounding them upon the ſame authority. For if a controverſie ariſe about a tradition, it will be neceſſary to decide it either by the teſtimony, or by the determination of the Church. But this foundation being laid, that every Chriſtian is bound to beleeve the Church, one may ſecurely build thereon. He added, that they ſhould take example from all thoſe that have ſubſtantially written againſt the Lutherans, as Friar *Silveſter*, and *Eccbius*, who have more alleadged the authority of the Church, then any other argument; neither is it poſſible to convince the Lutherans otherwiſe. That it is contrary to the end propoſed, (that is to lay all the foundations of Chriſtian doctrine) to leave out the principall, and perhaps the onely ground, but certainely that, without the which the reſidue cannot ſubſiſt. This opinion had no followers. Some oppoſed againſt it, that it was ſubject to the ſame difficulties which it made to others. For the Synagogues of the heretiques alſo would arrogate to bee the true Church, unto whom this authoritie was given. Others holding it to be a thing moſt knowne and undoubted, that by the name of the Church the Clergie ought to be underſtood, and more properly the Councell and the Pope as head, ſaid, they ought to maintaine, that the authority of the Church is already decided, and that to treat of it now were to ſhew there was difficultie, or at the leaſt, that it was a thing newly cleered, and not moſt ancient, ever beleeved ſince Chriſtianity began.

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But *Anthonius Marinarus*, a Carmelite Friar, thought fit to refraine ſpeaking of traditions, and ſaid, that for deciſion of the firſt Article in this matter, it was meet firſt to determine whether the queſtion were *facti*, or *juris*: that is, if the Chriſtian doctrine have two parts, one which was written by the will of God, and the other which was forbidden to be writ, but onely taught by word of mouth; or if in the whole body of doctrine it hath accidentally happened, that all having beene taught, ſome part hath not beene committed to writing. He added, that it was a cleere caſe that the Majeſtie of God ordaining the law of the Old Teſtament, appointed it ſhould be neceſſary to have it in writing; and therefore wrote the Decalogue in ſtone with his owne finger, commanding it ſhould be laid up in the Cabinet, called the Arke of the Covenant. That he often commanded *Moyſes* to write the precepts in a book, and that one copie ſhould be kept in the Ark, and the King have another to read it continually.

This fell not out in the Goſpell, which the Sonne of God wrote in the hearts, for which neither tables, nor cheſt, nor book is neceſſary: yea, the Church was moſt perfect before any of the Apoſtles wrote; and though they had writ nothing, the Church would have wanted nothing of its perfection. But as Chriſt founded the doctrine of the New Teſtament in the hearts; ſo hee forbad it not to be written, as in ſome falſe Religions, where the myſteries were kept ſecret, nor was lawfull to write them, but onely to teach them

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them by word of mouth. And therefore that it is an undoubted truth, that whatſoever the Apoſtles have written, and whatſoever they have taught by word of mouth, is of equall authority, becauſe they wrote and ſpake by the inſtinct of the holy Ghoſt, which notwithſtanding, as, by aſſiſting them, it hath directed them to write and preach the truth, ſo it cannot be ſaid it hath forbidden them to write any thing, to the end to hold it in myſterie; wherefore the Articles of faith cannot be diſtinguiſhed into two kinds, ſome publiſhed by writing, others commanded to be communicated onely by voyce. He ſaid, that whoſoever thought otherwiſe, muſt fight againſt two great difficulties; the one, to tell wherein the difference is, the other, how the Apoſtles ſucceſſors have beene able to write that which was forbidden by God: adding, that it was as hard to maintaine the third, that is, how it hath accidentally happened, that ſome particulars have not beene written, becauſe it would derogate from the providence of God in directing the holy Apoſtles to compoſe the Scriptures of the New Teſtament. Therefore he concluded, that to enter into this treatie, was to ſaile betweene *Scilla* and *Caribdis*, and that it was better to imitate the fathers, who ſerved themſelves of this place, onely in caſe of neceſſity, never thinking to make of it an Article of competition againſt the holy Scripture. He added, that it was not neceſſary to proceed now to any new determination, becauſe the Lutherans, though they ſaid they would be convinced by the Scripture onely, have not made a controverſie in this article, and that it is good to keep themſelves onely to the controverſies which they have promoted, without ſetting new on foot, expoſing themſelves to the danger of making a great diviſion in Chriſtendome.

The Fathers never made traditions of equall authority with the Scripture.

The Friars opinion pleaſed but few; yea, Cardinall *Poole* reprehended it, and ſaid, it better beſeemed a Colloquie in *Germany*, then a Councell of the univerſall Church: that in this they ſhould aime at the ſincere verity it ſelfe; not as there, where nothing is handled but the according of the parties, though to the prejudice of the truth; that to preſerve the Church, it was neceſſary that the Lutherans ſhould receive all the Romane doctrine, or that as many of their errours as was poſſible might be diſcovered, the more to make manifeſt to the world, that there was no agreement to be made with them. Therefore if they have framed no controverſie concerning traditions, it was neceſſary to frame it now, and to condeme their opinions, and to ſhew, that that doctrine not onely differeth from the true, in that wherein it doth purpoſely contradict it, but in all other parts: that they ſhould endeavour to condemn as many abſurdities as can be drawn out of their writings, and that the feare was vaine to daſh againſt *Scilla* or *Caribdis* for that captious reaſon, whereunto whoſoever gave eare, would conclude there was no tradition at all.

The opinion of *Marinarus* was very diſtaſefull.

In the ſecond Article they all agreed in this, that a Catalogue ſhould be made, (as it was in former times) of the Canonicall books, in which all ſhould be regiſtred which are read in the Roman Church, even thoſe of the Old Teſtament, which were never received by the Hebrewes. And for prooſe of this, they all alleadged the Councell or *Laodicea*, Pope *Innocence* the firſt, the third Councell of *Carthage*, and Pope *Gelaſius*. But there were foure opinions.

Concerning the Canonical books of the Scripture.

nions. Some would have two ranks made; in the first onely those should be put, which without contradiction have beene received by all: in the other those, which sometime have beene rejected, or have had doubt made of them; and it was said, though formerly this was never done by any Councell or Pope, yet alwayes it was so understood. For *Austin* maketh such a distinction, and his authority hath beene canonized in the Chapter *In Canonicis*. And Saint *Gregorie*, who was after *Gelasius*, writing upon *Job*, sayeth of the *Maccabees*, that they are written for edification, though they bee not Canonicall. 1546 PAUL 3. CHARLES 5. HENRY 8. FRANCIS 1.

Aloisius of *Catanea*, a Dominican Friar, said that this distinction was made by Saint *Hierome*, who was received by the Church, as a rule and direction, to appoint the Canon of the Scriptures; and he alleadged Cardinall *Cajetan* who had distinguished them, following Saint *Hierome*, as an infallible rule, given us by the Church; and so he wrote to Pope *Clement* the seventh, when he sent him his exposition upon the Historicall books of the old Testament. Some thought fit to establish three ranks. The first, of those which alwayes have been held for Divine; The second, of those whereof sometimes doubt hath beene made, but by use have obtained Canonicall authority; in which number are the six Epistles, and the Apocalyps of the new Testament, and some small parts of the Evangelists. The third, of those whereof there hath never beene any assurance; as are the seven of the Old Testament, and some Chapters of *Daniel* and *Hester*. Some thought it better to make no distinction at all, but to imitate the Councell of *Carthage* and others, making the Catalogue, and saying no more. Another opinion was that all of them should be declared to be in all parts, as they are in the Latine Bible, of divine and equall authority. The Book of *Baruc* troubled them most, which is not put in the number, neither by the Laodiceans, nor by those of *Carthage*, nor by the Pope, and therefore should be left out, as well for this reason, as because the beginning of it cannot be found. But because it was read in the Church, the Congregation (esteeming this a potent reason) resolved, that it was by the Ancients accounted a part of *Jeremie*, and comprised with him.

In the Congregation on Friday the fifth of March, advice being come that the Pensionaries of the Bishop of *Bitonto* had demanded in *Rome* to be paid, and for this cause had cited him before the Auditor, requiring hee should bee compelled by excommunications and other censures, according to the stile of the Court, to make payment; hee lamented his case, and said that his Pensioners were in the right, and yet himselfe was not in the wrong. For so long as he was in the Councell hee could not spend lesse then six hundred crownes by the yeere, and that his pensions being detracted, he had left but foure hundred: wherefore it was necessary that hee should bee disburthened or assisted with the other two hundred. The poore Prelats laboured herein, as in a common cause, and some of them passed to high words, and said it was an infamie to the Councell, that an officer of the Court of *Rome* should bee suffered to use censures against a Bishop assisting in the Councell; that it was a thing monstrous, and would make the world say that the Councell was not free; that the honour of that assembly

The Bishop of *Bitonto*, assisting in Councell, is in danger of excommunication in *Rome* for not paying his Pensionaries.

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assembly required that the Auditor should be cited to *Trent*, or some revenge taken against him, that the dignity of the Synod might be preserved. Some also proceeded so farre as to condemne the imposition of pensions, saying, that it was just and anciently observed, that the rich Churches should assist the poore, not by constraint, but by charity, without taking things necessary from themselves, and that S. *Paul* taught so. But that poore Prelats should be constrained to give to the rich, some of that which is necessary for their own sustenance, was a thing intolerable, and that this was one of the points of reformation to be handled in the Councel, reducing it to the ancient, and truely Christian use. But the Legats, considering how just the complaints were, and whither they might tend, appeased all, and promised they would write to *Rome*, and cause the judiciall processe to surcease, and to endeavour that the Bishop should in some sort be provided for, that he might maintaine himselfe in the Councell.

A Decree made on the day of *Carnoval*, that Traditions are of equall authority with the Scriptures.

All the Divines having made an end of speaking the eighth day, a Congregation was intimated for the next, though it was no ordinary day, not so much to establish quickly a Decree upon the disputed Articles, as for a grace of the Councell, that in that day, dedicated to a profane feast of the *Carnoval*, the Fathers should busie themselves in the affaires of the Councell. And then it was approved by all, that the Traditions should be received as of equall authority with the Scriptures. But they agreed not in the manner of making the Catalogue of the Divine books; and there were three opinions: One, not to descend to particular books; another, to distinguish the Catalogue into three parts; a third, to make onely one, and to make all the books of equall authority. And not being all well resolved, three draughts were made, and order given that they should exactly consider which of them should be received in the next Congregation; which was not held the twelfth day, by reason of the arrivall of *Don Francis* of *Toledo*, sent Ambassador by the Emperour, to assist in the Councell, as Colleague to *Don Diego*: who was met on the way by the major part of the Bishops, and families of the Cardinals.

Don Francis of *Toledo* arriveth in *Trent*, Ambassadour to the Emperour.

Vergerius flieth to the Councell for refuge, but findeth none.

At this time *Vergerius*, who often hath beene named before, came to *Trent*, not so much with desire to assist in the Councell, as to flie the rage of his people raised against him, as cause of the barrenneſſe of the land, by the Inquisitour, Friar *Hannibal*, a *Grison*. For he knew not where to remaine with more dignity, nor to have greater commodity to justifie himselfe against the imputations of the Friar, who published him for a Lutheran, not onely in *Istria*, but before the Nuncio of *Venice*, and the Pope. Whereof the Legats of the Councell being advertised, suffered him not to be present at the publike Acts, as a Prelat, if first he were not justified before the Pope, to whom they effectually exhorted him to go; and if they had not feared to raise talk against the liberty of the Councell, they would have gone beyond exhortation. This Bishop, seeing he was more disgraced in *Trent*, departed a little after, with purpose to returne to his Bishoprick, hoping the popular sedition was appeased. But when he came to *Venice*, he was forbidden by the Nuncio, to go thither, who had order from *Rome* to make his processe; for disdaine whereof, or for feare, or for some other cause, he quitted *Italy* within a few moneths after.

Vergerius forsaketh *Italy*.

The

The fifteenth day, the three draughts being propoſed, though every one was maintained by ſome, yet the third was approved by the major part. In the congregations after, the Divines diſcourſed upon the other Articles, and in the third there was much difference about the Latine tranſlation of the Scripture, between ſome few who had good knowledge of the Latine, and ſome taſte of the Greek, and others who were ignorant in the Tongues. Friar *Aloiſius* of *Catanea* ſaid, that for reſolution of this article, nothing could be brought more to the purpoſe, or more fit for the preſent times and occaſions, then the judgement of Cardinall *Cajetane*, a man very well read in Divinity, having ſtudied it even from a childe; who for the happineſſe of his wit, and for his laborious diligence, became the prime Divine of that and many more ages, unto whom there was no Prelat or perſon in the Councell who would not yeeld in learning, or thought himſelfe too good to learne of him. This Cardinall, going Legat into *Germany*, in the yeere 1523. ſtudying exactly how thoſe that erred might be reduced to the Church, and the Arch-heretiques convinced, found out the true remedy, which was the literall meaning of the text of the Scripture in the originall tongue in which it is written, and all the reſidue of his life, which was 11 yeeres, he gave himſelfe onely to the ſtudy of the Scripture, expounding not the Latine tranſlation, but the Hebrew roots of the old, and the Greek of the new Teſtament. In which Tongues, having no knowledge himſelfe, he imployed men of underſtanding, who made conſtruction of the text unto him word by word, as his works upon the holy books do ſhew. That good Cardinall was wont to ſay, that to underſtand the Latine text, was not to underſtand the infallible word of God, but the word of the tranſlatour, ſubject and obnoxious unto errours. That *Hierome* ſpake well, that to propheſie and write holy books proceeded from the holy Ghoſt, but to tranſlate them into another Tongue, was a work of humane skill. And he complained and ſaid, Would to God the Doctors of the former age had done ſo, and then the Lutheran hereſie would never have found place. He added that no tranſlation could be approved without rejecting the Canon, *Ut veterum*, *d.* 9. which commandeth to have the Hebrew text to examine the realitie of the books of the old Teſtament, and the Greek for a direction in thoſe of the new. To approve a tranſlation as authenticall, was to condeme S. *Hierome*, and all thoſe who have tranſlated. If any be authenticall, to what end ſerve the reſt which are not? it would be a great vanity to produce uncertaine copies, when there are ſome infallible. That they ſhould be of the opinion of S. *Hierome* and *Caietane*, that every Interpreter may erre, though he have uſed all art not to vary from the originall. But ſure it is, that if the holy Councell ſhould examine, or correct an interpretation according to the true text, the holy Ghoſt, which aſſiſteth Synods in matters of faith, would keep them from erring; and ſuch a tranſlation, ſo examined and approved, might be called authenticall. But that any could be approved without ſuch an examination, with aſſurance of the aſsiſtance of the holy Ghoſt, he durſt not ſay, except the Synod did determine it, ſeeing that in the Councell of the holy Apoſtles a great inquiſition was made before. But this being a work of ten yeeres, and impoſsible to be undertaken, it ſeemed better to leave things as they

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Diſcourſes about the Latin tranſlation.

1546 as they had remained 1500. yeeres, that the Latine tranſlations ſhould bee verified by the originall Texts.

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On the contrary, the major part of the Divines ſaid, that it was neceſſary to account that tranſlation, which formerly hath beene read in the Churches, and uſed in the ſchooles, to be divine and authenticall; otherwiſe they ſhould yeeld the cauſe to the Lutherans, and open a gate to innumerable hereſies hereafter, and continually trouble the peace of Chriſtendom. That the doctrine of the Church of *Rome*, mother and miſtreſſe of all the reſt, is, in a great part, founded by the Popes, and by ſchoole Divines, upon ſome paſſage of the Scripture, which if every one had liberty to examine whether it were well tranſlated, running to other tranſlations, or ſeeking how it was in the Greek or Hebrew, theſe new Grammarians would confound all, and would be made Judges and arbiters of faith: and inſtead of Divines and Canoniſts, Pedanties ſhould be preferred to the Biſhops and Cardinals. The Inquiſitors will not be able to proceed againſt the Lutherans, in caſe they know not Hebrew and Greek, becauſe they will ſuddenly anſwer, the text is not ſo, and that the tranſlation is falſe: and every novity or toy, that ſhall come into the head of any Grammarian, either for malice, or want of knowledge in Divinity, ſo that he may but finde ſome grammaticall trick in thoſe tongues to confirme it, will be ſufficient to ground himſelfe thereon, and he will never make an end. That it doth appeare, ſince *Luther* began to tranſlate the Scripture, how many divers and contrary tranſlations have ſeene the light, which deſerve to be buried in perpetuall darkneſſe, and how often *Martin* himſelfe hath changed his owne tranſlation, that never any hath been reprinted without ſome notable change, not of one or two paſſages, but of an hundred in a breath: that if this liberty be given to all, Chriſtianity will ſoone be brought to that paſſe that no man will know what to beleeve.

To theſe reaſons, which the major part applauded, others added alſo, that if the providence of God hath given an authenticall Scripture to the Synagogue, and an authenticall New Teſtament to the Grecians, it cannot be ſaid, without derogation, that the Church of *Rome*, more beloved then the reſt, hath wanted this great benefit, and therefore that the ſame holy Ghoſt, who did dictate the holy books, hath dictated alſo that tranſlation which ought to be accepted by the Church of *Rome*. Some thought it hard to make a Prophet or Apoſtle onely to tranſlate a book; therefore they moderated the aſſertion, and ſaid, that he had not a Propheticall or Apoſtolicall Spirit, but one very neere. And if any ſhould make dainty to give the ſpirit of God to the Interpreter, yet he cannot deny it to the Councell; and when the vulgar edition ſhall be approved, and an anathema thundred againſt whoſoever will not receive it: this will be without error, not by the ſpirit of him that wrote it, but of the Synod that hath received it for ſuch.

D. Iſidorus Clarus, a *Breſcian*, and a Benedictine Abbat, a man well ſeene in this ſtudy, went about to remove this opinion by an hiſtoricall narration; and ſaid in ſubſtance, that in the Primitive Church there were many Greek tranſlations of the Old Teſtament, which *Origen* gathered into one volume, confronting them in ſix columnes; the chiefe of theſe is called of the *Septuagint*; from whence divers in Latine were taken: and many were

taken

taken from the Greek text of the New Teſtament, one of which, moſt followed and read in the Church, and eſteemed the beſt by Saint *Auſtin*, is called *Itala*; yet ſo as that the Greek text ought undoubtedly to be preferred. But Saint *Hierome*, a man (as all do know) skilfull in the knowledge of tongues, ſeeing that of the Old Teſtament to ſwarve from the Hebrew truth, by the fault partly of the Greek interpreter, and partly of the Latine, made one immediatly out of the Hebrew, and amended that of the New Teſtament according to the truth of the Greek text. *Hieroms* credit made his tranſlation to be received by many; but was rejected by ſome, either becauſe they loved more the errours of antiquity, then new truths, or, as himſelfe complaineth, by reaſon of emulation. But a few yeers after, when envie was laid aſide, that of S. *Hierome* was received by all the Latines; and ſo they were both in uſe, one being called the old, and the other the new. Saint *Gregorie*, writing to *Leander* upon *Job*, teſtifieth that the Apoſtolike Sea uſeth them both, and that himſelfe, in the expoſition of that book made choice to follow the new, as conformable to the Hebrew text: yet in the allegations he would uſe ſometimes one, ſometimes another, as it beſt befitted his purpoſe. The times following, by the uſe of them both, compoſed one, taking part of the new, and part of the old, according as the accidents required, and to this the name of the vulgar Edition was given. The Pſalmes were all of the old; becauſe, being daily ſung in the Churches, they could not be changed. The leſſer Prophets are all of the new, and the greater mixt of both. This is very true that all hath happened by the ordinance of God, without which nothing can ſucceed. But yet it cannot be ſaid that there was in it greater knowledge then humane. Saint *Hierome* ſaith plainely that no interpreter hath ſpoken by the holy Ghoſt. The Edition which we have is his for the moſt part: it would be ſtrange to attribute the aſſiſtance of God to him that knoweth and affirmeth he hath it not. Wherefore no tranſlation can be compared to the text in the originall tongue. Therefore his opinion was, that the vulgar edition ſhould be preferred before all, and allowed, yet ſo, as that it ſhould be corrected by the originall, and all men forbid to make any other: onely that ſhould be amended, and the others extinguiſhed: and ſo all inconveniences cauſed by new interpretations, which have judiciouſly beene noted, and reprehended in the Congregations, would ceaſe.

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S. *Hierom* ſaith that no interpreter hath ſpoken by the holy Ghoſt.

Andrew de Vega, a Franciſcan Friar, going as a Mediatour betweene theſe two opinions, approved that of Saint *Hierome*, that the qualities of an interpreter are not any Propheticall, or other ſpeciall divine ſpirit, which giveth them infallibility, and the opinion of the ſame Saint, and of Saint *Auſtin*, to correct the tranſlations by the texts of the originall tongue. But added that it was not contrary to this to ſay withall, that the Latine Church holdeth the vulgar edition for authenticall, becauſe it is thus to bee underſtood, that concerning faith and manners there is no errour in it, though in ſome ſmall matter, or expreſſion of words there may be a miſtaking, it being impoſſible that all the words of one language ſhould be tranſplanted into another, but that there will be ſome reſtriction or inlargement of ſignifications or metaphore, or other figure. That the vulgar edition hath beene examined heretofore by the whole Church during the ſpace of 1000.

1546 yeeres, and known that there is no errour in it, in matter of faith or manners; and in this account it hath beene held and uſed by the ancient Councels, and ſo ought ſtill to be held and approved, and declared as authenticall; that is, that it may be read without danger, not hindering thoſe that are more diligent to have recourſe unto the Hebrew and Greek originals, but forbidding ſo great a number of whole tranſlations, which beget confuſion.

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Diſcourſes about the expoſition of the Scripture.

About the Article of the ſenſe of the holy Scripture, the doctrine of Cardinall (*Cajetan* gave occaſion to ſpeak diverſly; who taught, and practiſed the ſame himſelfe, that new conceits, when they agree to the text, and are not aliene from other places of the Scripture, and doctrine of faith, are not to bee rejected, though the ſtreame of the Doctors run another way, in regard the Majeſty of God hath not tied the ſenſe of the Scripture to the old Doctors: otherwiſe, there would remaine no more power to thoſe that live now, not to poſterity, then to tranſcribe the ſame things againe; which ſome of the Divines and Fathers approved, and ſome oppoſed.

To the firſt it ſeemed a ſpirituall tyrannie to forbid the faithfull to make uſe of their proper ingenie, according to the grace which God hath given them: and that this was juſt a prohibition to exerciſe the talent given us by God. That men ought to be inticed, with all allurements, to the reading of the holy writ, from which, when that pleaſure which novity bringeth, ſhall bee removed, all men will ever abhorre it; and ſuch ſtrictneſſe will make men apply themſelves to other ſtudies, and abandon this, and by conſequence all ſtudy and care of pietie. That this variety of ſpirituall gifts belongeth to the perfection of the Church, and is found amongſt the Fathers, in whoſe writings there is great diverſity, and oftentimes contrarietie, yet joyned with aſſured charitie. Why ſhould not that libertie bee granted to this age which others have injoyed with ſpirituall fruit? The Schoole-men, though in the doctrine of Theologie, they have no diſputes about the meaning of the Scripture, yet they have as many differences in points of Religion, and no leſſe dangerous. That it is better to imitate antiquity, which hath not reſtrained the expoſition of the Scripture, but left it free.

Thoſe of the contrary opinion ſaid, that popular licence being worſe then tyrannie, it was then fit to curb the unbridled wits, otherwaies, they could not hope to ſee an end of the preſent contentions. That anciently it was allowed to write upon the holy books; becauſe there was need, in regard there were but few expoſitions. And the men of thoſe times were of an holy life, and ſetled minde, from whom no confuſions could be feared, as now. And therefore the Schoole-men, ſeeing there was no more need of other expoſitions in the Church, and that the Scripture was not onely ſufficiently, but aboundantly declared, they took another courſe to treat of holy myſteries; and ſeeing that men were inclined to diſputings, they thought good to buſie them rather in examining of the reaſons & ſayings of *Ariſtotle* to keep the holy ſcripture in reverence; from which much is derogated, when it is handled after a common faſhion, and is the ſubject of the ſtudies and exerciſes of curious men. And this opinion went on ſo far, that *Richard* of *Mans*, a Franciſcan Friar, ſaid that the doctrines of faith were now ſo cleered

cleered, that we ought no more to learne them out of Scripture: which, it is true, was read heretofore in the Church for instruction of the people, whereas now it is read in the Church onely to pray, and ought to serve every one for this end onely, and not to study. And this should be the reverence and worship due from every one to the word of God. But, at the leaſt, the ſtudying of it ſhould be prohibited to every one that is not firſt confirmed in ſchoole Divinity; neither do the Lutherans gaine upon any but thoſe that ſtudy the Scripture. Which opinion wanted not adherents. 1546 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1.

Betweene theſe opinions there went two others in the middle: One, that it was not good to reſtraine the underſtanding of the Scripture, to the Fathers onely, in regard their expoſitions are allegoricall for the moſt part, and ſeldome literall; and thoſe that follow the letter, fit themſelves to their owne time, ſo that the expoſition agreeth not to our age. That Cardinall *Caſanus*, a man excellently learned and honeſt, ſaid judicially, that the underſtanding of the Scripture muſt be fitted to the time, and expounded according to the current Rites: and that it is not to be marvelled at, if the Church in one time expoundeth in one faſhion, at another in another. And this was the meaning of the *Lateran* Councell, when it decreed, that the Scripture ſhould be expounded according to the Doctors of the Church, or as long uſe hath approved; that new expoſitions ſhould not be forbidden, but when they varie from the common ſenſe. The opinion of *Caſanus*, that the expoſition of the Scripture muſt be fitted to the time.

But *Dominicus Soto*, a Dominican Friar, diſtinguiſhed the matter of faith and manners from the others, ſaying, it was meet in that onely to keep every wit within limits, but in others it was not inconvenient to let every one, ſo that piety and charity be preſerved, to abound in his owne ſence. That the Fathers deſired not to be followed of neceſſity, but onely in things neceſſary to beleeve and to do. Neither did the Popes, when in their Decretals they expounded ſome paſſage of the Scripture in one ſenſe, mean to canonize that, ſo that it ſhould not be lawfull to underſtand it otherwiſe, though with reaſon. And S. *Paul* meant ſo, when he ſaid, that prophecying, that is, interpretation of the Scripture, ſhould be uſed according to the analogie of faith, that is, with reference to the Articles thereof. And if this diſtinction were not made, they muſt needs fall into notable inconveniences, by reaſon of the contrarieties which are found in the divers expoſitions of the ancient Fathers, which do oppugne one another.

The difficulties were not ſo great, but that the vulgar edition was approved, almoſt by a generall conſent, the diſcourſe having made deep impreſſion in their minds, that Grammarians would take upon them to teach Biſhops and Divines. Some few thought it fit, in regard of the reaſons brought by the Divines, to leave the point for that time; but ſeeing the reſolution was otherwiſe, they deſired them to conſider, that having approved it, they ſhould command it to be printed and corrected, and in that caſe, that it was neceſſary to frame a copie by which to make the impreſſion. Whereupon ſix were deputed by common conſent, and commanded to be diligent in making that correction, that it might be publiſhed before the end of the Councell, reſerving power to themſelves to augment the number, if amongſt thoſe that were to come, any were fit for the work. The vulgar edition is approved.

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But in giving voyces upon the fourth Article, after Cardinall *Pacceco* had ſaid, that the Scripture was expounded by ſo many and ſo excellent men in goodneſſe and learning, that there was no hope to adde any good thing more, and that all the new hereſies ſprang from the new expoſitions of the Scripture, and therefore that it was neceſſary to bridle the ſaucineſſe of moderne wits, and to make them content to bee governed by the ancients, and by the Church, and that if any had ſome ſingular ſpirit, he ſhould be enforced to conceale it, and not to confound the world by publiſhing it, almoſt all run into the ſame opinion.

The Congregation of the 29. was all ſpent in the fift Article. For the Divines having ſpoken irreſolutely, and with reference to the Synod, to which it belongeth to make Statutes, the Fathers were doubtfull alſo. To leave out the Anathema wholly, was to make no Decree of faith, and in the very beginning to break the order ſet downe, to handle the two heads together. To condemne every one for an heretike who would not accept the vulgar Edition in ſome particular place, perhaps of none importance, or ſhould publiſh ſome invention of his owne upon the Scripture, through vanity of minde, ſeemed too rigorous. After long diſcuſſion they found a temper, which was to frame the firſt Decree, and comprehend in it that only which concerneth the Catalogue of the holy Books, and the Traditions, and to conclude that with an Anathema. Then in the ſecond, which belongeth to reformation, to comprehend the tranſlation and ſenſe of the Scripture, as if the Decree were a remedy againſt the abuſe of ſo many interpretations, and impertinent expoſitions.

The abuſes are ſpoken of.

It remained to ſpeak of the other abuſes, of which every one had collected a great number, and many waies to redreſſe them, as humane weakneſſe and ſuperſtition uſeth holy things, not onely beyond, but alſo contrary to that for which they are appointed. Of inchantments to finde treaſures, and to bring laſcivious deſignes to paſſe, or to obtaine things unlawfull, much was ſaid, and many remedies propoſed to root them out. Amongſt inchantments, ſome put carrying the Goſpel about one; names of God to prevent infirmities, or to be healed of them, or to be kept from evils and miſchiefes, or to be proſperous; likewiſe to read them for the ſame ends, and to write them with obſervation of times. In this catalogue were numbred Maſſes, ſaid in ſome Countries upon red-hot Iron, upon boyling waters, or upon cold, or other matters for vulgar purgations; to recite the Goſpel over Armes, that they may have more force againſt the enemies. In this rank were put the conjurations of dogges to make them not bite, of ſerpents to make them not offend, of harmefull beaſts in the field, of tempeſts, and other cauſes of the barrenneſſe of the land, requiring that all theſe obſervations might bee condemned, forbid, and puniſhed as abuſes. But in divers particulars there were contradictions and diſputes. For ſome defended as things devout and religious, or, at the leaſt, permitted, and not damnable, which others did condemne for wicked and ſuperſtitious. The like happened ſpeaking of the Word of God by caſting of lots, or divinations, or extracting ſchedules with verſes of the Scripture, or obſerving thoſe they met, when they opened the book. To uſe ſacred words in ſcandalous libels, and other

other detractions, was generally condemned, and much was ſaid of the meanes how to remove the *Paſquins* of *Rome*; wherein the Cardinall of *Monte* ſhewed great paſſion in deſiring a remedy, becauſe hee was often made a ſubject of the ſaucineſſe of the Courtiers tongues, by reaſon of his naturall liberty and pleaſantneſſe of wit. All agreed, that the Word of God could never be reverenced enough, and that to uſe it to mens commendations, though Princes and Prelats, is not ſeemely; and generally that all vaine uſe of it is a ſin. But yet the Councell ought not to buſie it ſelfe in this, in regard they were not aſſembled to provide againſt all faults; neither was it to be forbid abſolutely, to draw the words of the Scripture to humane matters, becauſe S. *Antonius*, in his ſtory, condemned not the Sicilian Ambaſſadors, who, asking pardon of *Martin* the fourth, delivered their Ambaſſage in no other termes, but ſaying three times, *Agnus Dei qui tollis peccata mundi, miſerere nobis.* Nor the Popes anſwer who likewiſe ſaid thrice, *Ave Rex Judæorum, Et dabant illi alapas.* Therefore that it was the malice of the Lutherans to reprehend the Biſhop of *Bitonto*, who in his ſermon made in the publike Seſſion, ſaid that to him that refuſed the Councell, it might be replied, *Papæ lux venit in mundum, & dilexerunt homines magis tenebras quam lucem.* So many Congregations were ſpent herein, and the number ſo increaſed, and the weakneſſe of the remedies propoſed did ſo much appeare, that the common opinion inclined to make no particular mention of any of them, nor to deſcend to the proper remedies, or particular puniſhments, but onely to forbid them under generall heads, and leave the penalties to the diſcretion of the Biſhops. Of the abuſes of the Prints there was not much to be ſpoken; for all agreed that the Printers ſhould be bridled, and prohibited to Print any ſacred thing before it was allowed; but for this the Decree of the laſt *Lateran* Councell was ſufficient.

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But about readings and preachings there were terrible controverſies. The Regulars being already in poſſeſsion of them, as well by the Popes priviledges, as by the practiſe of 300. yeeres, laboured to preſerve them with all their might: and the Prelats alleadging that they belonged to them, and were uſurped, pretended reſtitution. And becauſe the contention was here, not of opinions, but of profit, they uſed on both ſides not onely reaſons, but deeds alſo. Which differences were ſet on foot, that at the time of the Seſsion nothing might bee decided. Therefore the Legats reſolved, to deferre theſe two points untill another Seſsion. Two decrees were framed, as formerly was reſolved, and were read in the laſt Congregation, and approved; yet with ſome exceptions in the point of the vulgar Edition. In the end hereof the Cardinall of *Monte*, after he had commended the learning and wiſdome of them all, admoniſhed them of the ſeemely behaviour which was fit to uſe in the publike Seſsion, ſhewing one heart and one minde, in regard the opinions were ſufficiently examined in the Congregations: and the Congregation being ended, the Cardinall *Santa Croce* aſſembled thoſe that had oppoſed the vulgar Edition, and ſhewed they could not complaine, becauſe it was not prohibited but left free to correct it, and to have recourſe to the originall; but that onely it was forbid to ſay there were in it errours of faith, for which it ought to be rejected.

A great contention betweene the Regulars and Prelats, about readings and preachings.

No errours of faith in the vulgar Edition.

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The eight of Aprill, appointed for the Seſſion, being come, the Maſſe of the holy Ghoſt was ſaid by *Salvator Alepus*, Arch-biſhop of *Torre* in *Sardinia*, and the Sermon was made by Friar *Auſtin* of *Aretium*, Generall of the *Servi*, the Pontificall habiliments put on, the accuſtomed Letanies and Prayers made, and the Decrees read by the Arch-biſhop that ſaid Maſſe. The firſt conteined in ſubſtance; that the Synod, aiming to preſerve the purity of the Goſpel, promiſed by the Prophets, publiſhed by Chriſt, and preached by the Apoſtles, as the fountaine of all truth, and diſcipline of manners (which truth and diſcipline are conteined in the books, and unwritten traditions, received by the Apoſtles, from the mouth of Chriſt, and dictated to them by the holy Ghoſt, and paſſed from one to another) doth according to the example of the Fathers, receive with equall reverence, all the books of the Old and New Teſtament, and the traditions belonging to faith and manners, as proceeding from the mouth of Chriſt, or dictated by the holy Ghoſt, and preſerved in the Catholike Church. And ſetting downe the Catalogue of the books, concludeth, that if any will not receive them all, as Sacred and Canonicall, in all parts, as they are read in the Catholike Church, and conteined in the vulgar Edition, or ſhall wittingly and purpoſely deſpiſe the traditions, let him bee Anathema; that every one may know what ground the Synod will uſe in confirming the points of doctrine, and reforming of manners in the Church. The ſubſtance of the ſecond Decree was; that the vulgar Edition ſhould be held for authenticall in publike Lectures, Diſputations, Sermons, and Expoſitions, and that none ſhould dare to refuſe it. That the holy Scripture cannot be expounded againſt the ſenſe held by the holy Mother the Church, nor againſt the common conſent of the Fathers, though with purpoſe to conceale thoſe expoſitions, and that the offenders ſhould be puniſhed by the Ordinaries: that the vulgar Edition ſhould be moſt exactly printed. That no books of Religion be printed, ſold, or kept, without the authors name, and that the approbation appeare in the frontiſpice of the book, upon paine of excommunication, and pecuniary puniſhment, conſtituted by the laſt *Lateran* Councell. That none ſhould dare to uſe the words of the holy Scripture in ſcurrility, fables, vanity, flatteries, detractions, ſuperſtitions, inchantments, divinations, caſting of lots, libels, and that the tranſgreſſors ſhould be puniſhed at the diſcretion of the Biſhops. And it was determined to hold the next Seſſion the 17. of June.

Two Decrees read in the Seſſion.

The contents of the former.

The ſubſtance of the ſecond Decree.

The next Seſſion is to be held the 17. of June.

Afterwards the Commiſſion of *Don Diego de Mendoza*, and *Francis de Toledo*, the Emperours Ambaſſadors, was read by the Secretarie of the Councell. *Don Diego* was abſent; and the other, having, in the Emperours name, ſaluted the Fathers in few words, ſaid in ſubſtance; That all the world knew that the Emperour thought nothing to befit him more, then not onely to defend the flock of CHRIST from enemies, but to free it from tumults and ſeditions; therefore that he rejoyced to ſee the day when the Councell, publiſhed by the Pope, was opened, & that being willing to favour that occaſion with his power and authority, he had ſent thither *Mendoza*, unto whom, in regard of his indiſpoſition, himſelfe was joyned. So that nothing remained but to pray God uniformly, that he would favour the enterpriſe of the Councell, and which is the Principall, would preſerve peace betweene the Pope and

The Commiſſion of the Emperours Ambaſſadours is read.

and Emperour, for the eſtabliſhing of the truth of the Goſpel, reſtoring the Church to her purity, and weeding the cockle out of the Lords field. Anſwer was made by the Councell, that his Lordſhips comming was moſt acceptable, both for the duty they did owe the Emperour, and for the favour he promiſed them, having alſo much hope in the realty and Religion of his Lordſhip. That they imbraced him with all their heart, and did admit, as farre as they could with reaſon, the mandates of *Cæſar*. That they were ſorry for the indiſpoſition of the Colleague, and thanked God for the peace betweene the Pope and the Emperour, praying him to favour the deſires of them both, for the increaſe of Chriſtian Religion, and peace of the Church. Theſe things being done, with the uſuall ceremonies, the Seſsion ended; the Decrees wherof were ſent to *Rome* by the Legats, and a little after printed. 1546 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1.

But after they were ſeene, eſpecially in *Germany*, they miniſtred great matter of diſcourſe. Some thought it ſtrange that five Cardinals, and 48. Biſhops, ſhould ſo eaſily define the moſt principall and important points of Religion, never decided before, giving Canonicall authority to Books held for uncertaine and apocryphall, making authenticall a tranſlation differing from the originall, preſcribing and reſtraining the manner to underſtand the word of God; neither was there amongſt theſe Prelats any one remarkable for learning, ſome of them were Lawyers, perhaps learned in that profeſſion, but of little underſtanding in Religion; few Divines, but of leſſe then ordinary ſufficiency; the greater number Gentlemen or Courtiers; and for their dignities ſome were onely titular, and the major part Biſhops of ſo ſmall Cities, that ſuppoſing every one to repreſent his people, it could not be ſaid that one of a thouſand in Chriſtendome was repreſented. But particularly of *Germany*, there was not ſo much as one Biſhop or Divine. Was it poſſible that amongſt ſo many no man ſhould be ſent! Why did not the Emperour cauſe ſome of them to go, who aſſiſted in the Colloquie, and were informed in the differences? Amongſt the Prelats of *Germany* onely the Cardinall of *Ausburg* had ſent a Proctor, and him a Savoyard. For the Proctors of the Cardinall and Elector of *Mentz*, underſtanding their maſters death, went away two moneths before. A few Prelats and not learned, do decide the greateſt points of Religion.

Others ſaid, that the things decided were not of ſo great moment as they ſeemed. For the point of traditions, which ſeemed moſt important, was of no conſequence. Firſt becauſe it was nothing to ordain they ſhould be received, if it were not declared which they were, & how they ſhould be known: then becauſe there was no commandement to receive them, but onely a prohibition to contemne them wittingly and deliberately. So that hee that rejected them with reverend termes, contradicted not; and the rather becauſe there is an example of the adherents of the Church of *Rome*, who receive not the ordination of Deaconeſſes, grant not to the people the election of the Miniſter, which certainly was an Apoſtolicall inſtitution, continued more then eight hundred yeeres; and which more importeth, obſerve not the communion of the Chalice, inſtituted by Chriſt, preached by the Apoſtles, obſerved by the whole Church, untill within two hundred yeeres, and now alſo by all Chriſtian Nations but the Latine; that if this be not a tradition, it is impoſſible to ſhew what other is. And for the vulgar edition declared authenticall Nothing is certainely defined concerning traditions.

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thenticall, nothing at all was done, becauſe among ſo many copies, it cannot be knowne which is the true. But this laſt oppoſition was made, becauſe the deputation to make a corrected copie of the vulgar edition, was not knowne. The which, for what cauſe it was not effected, ſhall be ſaid in its place.

Nor concerning the vulgar edition.

But the Decrees of the Seſſion being ſeene in *Rome*, and the importance of the things treated of conſidered, the Pope began to think he ought more to regard the buſineſſe of the Councell, then untill that time hee had done; and he enlarged the Congregation of Cardinals and Prelats, who were to conſider of the occurrences of the Synod, and to relate them. By the advice of theſe, after their firſt aſſembling, he admoniſhed the Legats of three things. One, not to publiſh hereafter in Seſsion any Decree, before they had communicated it at *Rome*, and to avoid too much ſlowneſſe in proceeding, but to beware much more of two much celerity, which might make them reſolve of ſome indigeſted matter, and want time to receive orders from him, what they ſhould propoſe, deliberate, and conclude. The ſecond, not to ſpend time in matters not controverſed, as they had done in thoſe that were handled for the laſt Seſsion; wherein all agree, that they are undoubted principles. The third, to take heed, that by no meanes the Popes authority be diſputed on.

The Pope admoniſheth the Legats of three things.

Whereunto they readily anſwered that they would obey his Holineſſe commandement; but that it ſeemed to them, that in the things defined, there is ſmall difference betweene Catholikes and Heretikes, and that ſome of the Scriptures of the Old and New Teſtament, received by the third Councell of *Carthage* by *Innocentius* the firſt, by *Gelatius*, by the ſixt Synod of *Trullus*, and the Florentine Councell are called into queſtion by the Heretikes, and which is worſe, by ſome Catholikes and Cardinals, and alſo that the unwritten Traditions are impugned by the Lutherans, who intend nothing more then to annihilate them, declaring that all things neceſſary to ſalvation, are written. And therefore though theſe two heads be principles, yet they are the moſt controverſed concluſions which are to bee decided in the Councell, and of the greateſt importance. They added that untill then there was no occaſion to ſpeak of the Popes authority, or of the Councell, but in treating of the title, when the addition of *Repreſentation of the univerſall Church* was required. That many deſire it ſtill, but that they will avoid it as much as poſsibly they can. And in caſe they ſhall be brought to it by force, they will deſire (thinking it will not be denied them) to expound the manner how it doth repreſent, that is, by meanes of the head, and not otherwiſe; whereby there will be rather gaine then loſſe. For the reſt, becauſe they think the major part will alwayes beare all reverence to his Holineſſe, being united as Head, with the body of the Councell, (which will be ſo long, as they ſhall agree in the reformation) he may ſet his heart at reſt that his authority ſhall not be queſtioned.

To whom the Legats make a ready anſwer.

After this the Pope ſent *Jeronimo Franco Nuncio* to the Swiſſes, giving him letters to the Biſhops of *Sion* and *Coira*, to the Abbat of S. *Gallo*, and other Abbats of thoſe Nations; to whom he wrote, that, having called all the Prelats of Chriſtendome to the Generall Councell of *Trent*, it was fit that they,

The Pope ſendeth a Nuncio to the Swiſſes.

they, who repreſent the Helvetian Church, ſhould aſſiſt alſo, in regard hee much loved that Nation, as eſpeciall ſonnes of the Apoſtolike Sea, and maintainers of the Eccleſiaſticall liberty. That Prelats out of *Italy*, *France*, and *Spaine* were arrived already, and the number increaſed daily. That it was not ſeemely that they, being borderers, ſhould bee prevented by thoſe that dwelt further off. That their Countrey was infected with hereſies, and therefore had more need of a Councell. In fine, hee commanded them upon their allegiance and oath, and paines preſcribed by the lawes, to go thither as ſoone as was poſſible; referring the reſt to bee told them by his Nuncio. 1546 PAUL 3. CHARLES 5. HENRY 8. FRANCIS 1.

And at the many inſtances of the Clergie and Univerſity of *Collen*, aſſiſted by the Biſhops of *Liege*, and *Utrecht*, and Univerſity of *Lovaine*, he pronounced ſentence againſt the Arch-biſhop and Electour of *Collen*, declaring him excommunicated, depriving him of all benefices and priviledges Eccleſiaſticall, abſolving his ſubjects from their oath of fidelity, and commanding them not to obey him, becauſe hee had incurred the cenſures of the Bull of *Leo* the tenth, publiſhed againſt *Luther* and his adherents, as having held, defended and publiſhed that doctrine againſt the Eccleſiaſticall rules, traditions of the Apoſtles, and uſuall rites of Chriſtian Religion. And the ſentence was after printed in *Rome*. He made alſo another Bull, giving order that *Adolphus* Count of *Scauemburg*, aſſumed before by the Arch-biſhop for his Coadjutor, ſhould be obeyed. And giveth ſentence againſt the Arch-biſhop of *Collen*. The Pope maketh a Bull in favour of *Adolphus*.

And he earneſtly deſired the Emperour, that the ſentence might be executed, who thought not this novity fit for his purpoſe, becauſe it would make the Arch-biſhop, who untill then had abſolutely obeyed him, to unite himſelfe with thoſe that were combined againſt him. And therefore hee held him ſtill for an Arch-biſhop and treated with him, and wrote to him, without regard of the Popes ſentence. This vexed the Pope at the heart, but ſeeing there was no remedy, he thought it folly to complaine in vaine. That ſentence produced another bad effect, becauſe the Proteſtants took occaſion to confirme their opinion that the Councell was intimated onely to inſnare them. For if the controverſed doctrine of faith ought to bee examined in the Councell, how could the Pope before the definition thereof, proceed to ſentence, and condemne the Arch-biſhop of hereſie? Therefore it appeareth that in vaine they ſhould go to that Councell, where the Pope domineereth, who cannot diſſemble, though he would, that hee eſteemeth them as men condemned. That it was manifeſt alſo that the Pope made no account of that Councell, becauſe, after it was begun, he proceeded definitively in that which belongeth to the Councell, without imparting any thing unto it. The Duke of *Saxony* ſignified this to the Emperour by his Ambaſſadours, and after ſaid unto him, that the Popes minde being now made manifeſt, it would be high time to provide for *Germany*, by a Nationall Councell, or by handling ſeriouſly the points of Religion in a Diet. The Emperor will not execute the Popes ſentence. The Proteſtants are confirmed in their opinion by this ſentence.

But to returne to the buſineſſe of the Councell, there remained (as hath beene ſaid) as remnants of the things handled before in the laſt Seſſion, the two points, to provide for the Lectures of the holy Scripture, and preaching

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ching of the word of God. For this was handled in the firſt Congregation; and (to begin the matter of faith) it was propoſed to treat likewiſe of originall ſin. Whereunto the Spaniſh Prelats oppoſed, and ſaid, that to provide againſt the abuſes of preaching & reading, was matter enough for one Seſſion. Which opinion alſo was followed by the Italian Prelats who were on the Emperours ſide. And the Legats thought they had diſcovered that this was plotted by *Cæſars* miniſters, who at the very inſtant had ſeriouſly treated with thoſe Prelats. Therfore they ſent advice thereof to the Pope, from whom they had anſwer, that they ſhould take heed to go on warily, untill he were able to give them a reſolution. Therefore they uſed artificiall diligence, entertaining themſelves with part of the abuſes, without comming to the concluſion of them, and without making demonſtration whether they would proceed in the matter of originall ſinne. And thus the caſe ſtood untill Eaſter.

Don Francis of Toledo perſwadeth that the reformation ſhould bee handled without doctrine.

Which being paſt, the Pope wrote they ſhould proceed, and propoſe that matter. This being delivered the ſecond of May, came to the knowledge of *Don Francis*; who going to viſit the Legats uſed much art, ſometimes making ſhew to give them counſell, ſometimes propoſing his opinion for the proſecuting of the reformation onely, to know their minds, and to perſwade them obliquely to embrace his deſigne. But ſeeing that did no good, he began to ſpeak as plainely as was needfull, that hee had letters from the Emperour, by which hee was charged to bee a meanes that they ſhould not enter into the points of doctrine, but ſhould handle the reformation onely. The Legats brought many reaſons to the contrary; and amongſt others they ſaid, they could not do it without contradicting the Popes Buls, which propoſed theſe two things together; and that which was eſtabliſhed in the Councell, that they ſhould go forward cheek by jowle; adding, that they had written to his Holineſſe, that they would begin eight dayes after Eaſter. Divers diſcourſes and replies were made on both ſides, and in concluſion the Legats ſaid they were commanded by the Pope, and could not be wanting to their duty. *Don Francis* ſaid, it was the duty of good miniſters to maintaine amitie betweene Princes, and ſometimes to expect the ſecond Commiſſion. This was not denied by the Legats; but they anſwered that more was not to be expected from them then they were able to do with their honour. They gave the Pope an account of all this, adding, that the Cardinall of *Trent* told them, that if the Article of originall ſinne were propoſed, the Emperour would be diſcontented; and therefore, on the one ſide being deſirous to make peace and concord, and on the other to obey his Holineſſe commandements, they thought good to ſend away this advice in diligence, beſeeching him not to let them erre; adding that if no other advice came, they would follow his laſt commandement, and would labour to perſwade *Don Francis* and the Cardinall of *Trent*, that this Article of originall ſinne was no more queſtioned in *Germany*, but accorded, as was manifeſt by the laſt Colloquie of *Ratisbon*, where his Majeſty for the firſt Article to be accorded, cauſed that of juſtification to be taken. But to give as much more time as is poſſible, they will entertaine themſelves, as many dayes as they honeſtly can, in diſpatching that which remaineth of the laſt Seſſion.

A Con-

A Congregation was made for this onely, to give a better forme how they ſhould more orderly proceed then they formerly had done, as well in handling the doctrine of faith, as the matter of reformation. And they diſtinguiſhed two ſorts of Congregations; one for Divines, to diſcourſe on the matter of faith which ſhould be propoſed, whoſe opinions ſhould be written by one of the Notaries of the Councel, to whom ſhould be added Canoniſts, when reformation was ſpoken of: (which Congregations were to be held in the preſence of the Legats, in which, any of the Fathers that would might be preſent.) Another ſort of Congregations ſhould conſiſt of Prelats to frame the heads of Doctrine and reformation, which, being examined, and ſet in order, according to the moſt common opinion, ſhould be propoſed in the generall Congregation, to underſtand every ones voyce, that by the determination of the major part, the Decrees might be eſtabliſhed, which are to be publiſhed in the Seſſion. 1546 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1.

A forme to proceed in Councell is ſet downe.

According to this order, they treated of Lectures and Sermons, framing and reforming divers draughts of Decrees; neither was it poſſible to finde a way to pleaſe all, becauſe the Prelats that were much intereſſed, deſired that all might depend upon Epiſcopall power, without exception of any. But on the other ſide, the Legats deſired to maintaine the priviledges given by the Pope, eſpecially to the Mendicants and Univerſities. And after many diſputes, when the matter was ſufficiently debated, they thought, that in the Congregation of the tenth of May, all would agree. But it proved to the contrary, for though it laſted till night, yet in ſome points, they could come to no concluſion, for the diverſity of opinions amongſt the Prelats themſelves, and in others, becauſe the Legats would not yeeld to the generall opinion, to remove, or at the leaſt, to moderate the priviledges. They alleadged againſt the Biſhops; that they were more moved by their proper intereſt, then by reaſon; that they made none account to prejudice the regulars; that they were too bold in correcting the former Councels, and in medling with the priviledges granted by the Pope. And they could not agree, not onely for their variety of opinions and intereſts of the Biſhops, but alſo becauſe the Imperialiſts did endeavour to make a difference, to hinder the propoſing of the points of Doctrine. Neither was this temporizing ungratefull to the Legats, who were reſolute, if they were not forbid in the anſwer, which they expected from *Rome*, to propoſe the Doctrines, and, as their inward friends ſaid, to cleere themſelves afterwards of whatſoever ſhould enſue.

The difference betweene the Prelats and Regulars, about lectures and ſermons doth returne

But to make ſome end of the things handled, they cauſed a briefe of the opinions of the Divines and Canoniſts, delivered in divers preceding Congregations, to be read; ſaying, that in regard the voyces were long, they had collected the ſumme of them, that they may examine them, and ſpeak their opinions thereon. But *Bracius Martellus*, Biſhop of *Fieſole*, hearing the extract read, oppoſed it in a continued ſpeech, and ſaid it was neceſſary that the generall Congregation ſhould know the voyces and reaſons of all, without reading collections and ſummes; and inlarged himſelfe by amplifying the authority of the Councel and the neceſſity to inform it well, & the ſmall conveniencie, that ſome few ſhould be Judges of the determinations, or that the reſolutions

The Biſhop of *Fieſole* oppoſeth the Legats.

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reſolutions ſhould come from any other place: whereat the Legats were much offended, and reprehended the Biſhop with affected modeſty, but bitingly enough. And ſo the Congregation brake up.

Who complaine to the Pope both of him, and of the Biſhop of *Chioza*.

The next day the Legats ſent to the Biſhop to demand a copie of his diſcourſe, and ſent it to *Rome*, taxing it as irreverent and ſeditious; adding, that they had modeſtly and ſeverely reprehended him, and would have gone further (becauſe he deſerved no leſſe) but that they feared to move ſome unſeaſonable diſpute, which might make a rent; But that he ought not to eſcape unpuniſhed, leaſt he ſhould be emboldened to do the like in every congregation, or worſe: repreſenting to his Holineſſe, that by all meanes hee ſhould be chaſed out of *Trent*, and order taken that the Biſhop of *Chioza*, (not much unlike unto him, though in another courſe) ſhould never returne. This Biſhop departed immediatly after the Seſsion, upon pretence of indiſpoſition, but in truth by reaſon of words which paſſed betweene him and Cardinall *Poole* in Congregation, in the matter of traditions. For having ſpoken in defence of Friar *Antonius Marinarus*, and there upon conteſted with the Cardinall, and ſo having complained that the Councell was not free, he ſaw he was not in the Legats favour, and obnoxious to danger. The Legats not content with what they had done, to mortifie the Biſhop of *Fieſole*, and to keep the matter intire untill there came advice from *Rome*, that they might go on with it, or diſſemble, as they ſhould be commanded, in the next Congregation. *Monte* gave him a nip by the way, and concluded that he left him then to conſider of his owne affaires, becauſe himſelfe was to be employed in matters of greater importance.

The Popes anſwer to the Legats.

The Pope anſwered concerning the two Biſhops, that he would give a remedy in time convenient. But for the matters to be handled, he ſaid, that if they regarded the deſires of Princes, they would make the Councell more tumultuous, and the reſolutions more long and hard, becauſe every one ſought to croſſe what liked him not, and by putting difficulty in one thing, to promote another. Therefore that without any more to do, they ſhould begin with originall ſinne, adviſing them to omit the excuſe which they purpoſed to uſe to D. *Francis*, that is, that the Article of originall ſinne is not queſtioned in *Germany*; but ſhould rather uſe generall termes, and all reverence to the Emperour.

The Councel in *Trent* is governed by certaine Deputies in *Rome*.

He further commanded them, that concerning the correction of the vulgar edition, they ſhould proceed no further, untill the Deputies over the Councell in *Rome*, had determined what courſe ſhould be held. The Legats reſolving, for execution of thoſe orders, to propoſe originall ſinne, made a Congregation two dayes together, to determine of the two heads of reading and preaching, before they publiſhed their purpoſe to handle matters of faith, leaſt thoſe two points, being undecided, might cauſe the Imperialiſts to divert from this. And they cauſed the Deputies for the vulgar edition, to bring to them all they had done, charging them to proceed no further untill they had received new order. Such was the liberty of the Councell depending on the Pope, in leaving of things begun, and beginning new.

In treating of the Lectures and Sermons, there was a generall complaint of

of the Biſhops, eſpecially Spaniſh; that, Christ having commanded that his doctrine ſhould be taught, which is exerciſed in the Church by preaching, and reading to the more capacious, that they may by fit to teach the people, the care to ſuperintend, over all that exerciſe theſe functions, ought to bee proper to the Biſhop. That the Apoſtles have ſo inſtituted, and the holy Fathers ſo practiſed. That now this office is abſolutely taken from the Biſhops by priviledges, ſo that no jot thereof remaineth. That this is the cauſe why all is out of order, becauſe the order inſtituted by Christ is changed. The Univerſities are withdrawne with exemptions, that the Biſhop cannot know what they teach; the Sermons are by priviledge given to the Friars, who by no meanes acknowledge the Biſhop, nor ſuffer him to meddle: ſo that the office of a Paſtour is quite taken from the Biſhops. And on the contrary, thoſe who anciently were appointed to weep for ſinnes, and expreſly and ſeverely forbid to preach and teach, have aſſumed this power unto them, or, at the leaſt, it is given them for their proper function. And ſo the flock remaineth without either ſhepheard or hireling, becauſe theſe ambulatory Preachers, who to day are in one Citie, to morrow in another, know neither the need, nor the capacity of the people, and leaſt of all the occaſions to teach and edifie them, as doth the proper Paſtour, who liveth alwayes with the flock, and knoweth the neceſſities and infirmities of it. Beſides the end of thoſe Preachers, is not to edifie, but to take almes either for themſelves or their Cloiſters: which that they may the better obtaine, they aime not to benefit the ſoule, but to delight the eare, and ſoothe men in their pleaſures, that thereby they may draw more profit; and the people, in ſtead of learning the doctrine of Christ, learneth either novity, or vanity at the leaſt. *Luther* was one of theſe; who if he had remained weeping in his Cell, the Church of Christ had not ſtood in theſe termes. That the abuſe of the Pardoners was more manifeſt, who go about preaching Indulgences, whoſe ſcandals, formerly given, cannot be related without teares. That it is a cleere caſe, that they exhort the people to nothing but to give money. The onely remedy for theſe diſorders, is to take away all the priviledges, and to reſtore to the Biſhops, the charge to teach and preach, and to elect thoſe for their fellow labourers whom they ſhall know worthy of that miniſtery, and diſpoſed to exerciſe it with charity.

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A complaint againſt the regular orders.

On the contrary ſide, the Generals of the Regulars and others, ſaid, that the Biſhops and Curates having wholly abandoned the office of a Paſtour, ſo that for many hundreds of yeeres the people remained without Sermons in the Church, and without the doctrine of Divinity in Schooles, God had raiſed the begging orders to ſupply theſe neceſſary miniſteries; into which notwithſtanding they intruded not themſelves, but entred by the grant of the Supreme Paſtour; unto whom it principally appertaining to feed all the flock of Christ, it cannot bee ſaid that men deputed by him, to ſupply the defects of him that had the care of the flock and did abandon it, have uſurped the office of another. But it may be ſaid, that if they had not uſed that charity, there had now remained no ſigne of Chriſtianity. Now that they have applyed themſelves more then three hundred yeeres to that holy work, with ſuch fruit as appeareth, they have pre-

An Apologie of the regular orders.

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ſcribed thoſe functions, and made them their owne, by a lawfull title, given by the chiefe Paſtour, the Biſhop of *Rome*; and that the Biſhops have no lawfull right unto them, nor can alleadge the uſe of antiquity to regaine that office, which ſo many hundred yeeres ſince they have forſaken. That they have a deſire of gayning for themſelves or their Monaſteries is a meere calumnie, becauſe the almes are gathered onely for their neceſſary food, and apparell, and the reſidue being ſpent for the worſhip of God, in maſſes, buildings, and ornaments of Churches, turneth to the benefit and edification of the people, and not to their owne profit; that the ſervices done by their orders to the holy Church, and doctrine of Divinity (which is no where to be found but in their Cloiſters) deſerve the continuance of that charge which others are not able to exerciſe.

The Legats relate this difference to *Rome* and expect an anſwer.

The Legats, importuned by both parties, by the Councell of their moſt inward friends reſolved to relate to *Rome*, and expect an anſwer. The Pope referred it to the Congregation; where preſently it was ſeene whither the pretence of the Biſhops tended; that is, to make themſelves ſo many Popes in their Dioceſſes. For when the Popes priviledge and exemption ſhould be removed, and every one ſhould depend on them, and none on the Pope, all cauſe of going to *Rome* would ceaſe. They conſidered that the Popes have anciently had for a principall ſecret to preſerve the Primacie given them by Christ, to exempt the Biſhops from the Arch-biſhop, the Abbats from the Biſhops, and ſo to oblige men to defend him. That it is a cleere caſe, that after the ſix hundredth yeere, the Primacie of the Apoſtolike Sea hath beene upheld by the Benedictine Monkes exempted, and after by the Congregations of Clunie, and Ciſtercium, and other monaſticall aſſemblies, untill God raiſed the Mendicant orders, by which it hath beene maintained untill now. Wherefore to take away their priviledges, were directly to oppugne the Papacie, and not thoſe orders; to remove the exemptions, were a manifeſt depreſſion of the Court of *Rome*, becauſe they ſhould want meanes to keep a Biſhop within compaſſe, that he exalt not himſelfe too high. Therefore that the Pope and Court were compelled by neceſſity to maintaine the Friars cauſe. But to do theſe things ſmoothly, they conſidered alſo that it was neceſſary to conceale this reaſon; and they reſolved to anſwer the Legats, that by all meanes they ſhould preſerve the ſtate of the Regulars, and cauſe the Biſhops to ſurceaſe, ſetting before them the exceſſive number of the Friars, and the credit which they have with the people, and adviſe them to take a moderate courſe, and not make a Schiſme, by deſiring too much. That it was juſt they ſhould receive ſome ſatisfaction, but they ſhould alſo be content to give it; and when they came to the point, they ſhould grant any thing concerning the Pardoners, but ſhould do nothing concerning the Friars, without communicating it to the Generals, and ſhould give the Biſhops ſome ſatisfaction which might not take away the priviledges. That they ſhould do the like for the Univerſities; becauſe it was neceſſary that both theſe and thoſe ſhould depend on the Pope, and not on the Biſhops.

The Deputies in *Rome* take part with the Mendicants, for reaſons of Policie.

The Popes anſwer.

After theſe letters came to *Trent*, thoſe of the Councell had three divers ends. For the other particulars propoſed in theſe two matters, by thoſe who

who were not interested either to favour or disfavour the exemptions, were but little considered of. For the Lectures, some proposed the restitution of the ancient use when Monasteries and Canons cloisters were but Colledges and Schooles. Whereof some remainder appeareth in many Cathedrall Churches, where there is the dignity of a Schooleman, Head of the readers, with a Prebend. These men now do not performe the duty, and indeed are unable. All thought it honest and profitable to restore the Divinity Lecture in Cathedrall Churches, and Monasteries. For the former, they thought it easie to make provision, by committing the care of the execution thereof to the Bishops; but for the latter very difficult. The Legats opposed the Superintendencie of Bishops, even in this also, though it were over Monkes onely, not Mendicants, for feare of leaving a gate open to them, to meddle with priviledges granted by the Pope. But *Sebastianus Pigbius*, Auditour of the *Rota*, found a temper for this, that the superintendencie should be given to the Bishops, as Delegates of the Apostolike Sea. The invention pleased, because it was in favour of the Bishops, without derogation of the priviledge; for the Bishop was to superintend, not as Bishop, but as the Popes Delegate. And this gave a patterne to accommodate other difficulties; one, in giving authority to the Metropolitans, over Parishes united to Monasteries, not subject to any Dioceſſe; another, in giving power to Bishops over exempted Preachers, who faile; and served also very much in the Decrees of the Sessions that were after.

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The invention of the Auditor of the *Rota*.

The Canonists proposed that the Schoole subtiltie was not fit in these times, and that it beseemed rather naturall things, and Philosophie, that these new Lectures should be introduced to handle the Sacraments, and the authority of the Church, as *Turrecremata*, *Augustinus Triumphus*, and after them S. *Antonius*, and others have done with great fruit. But the Friars contradicting, and opposing that this doctrine was as necessary as that, they found a temper, and ordered that the Lecture should be for exposition of the Scripture, and that the matter should be fitted to the exigence of the text read, and the capacitie of the auditours.

Politick reasons to uphold the Popes authority.

After many discourses in many Congregations, they came to establish the Decrees for the Sermons, and to overcome the difficulties, they caused the Prelats, who were their assured friends, to negotiate with the Italian Bishops, wishing them to consider how much they were bound, for the honour of their Nation, to uphold the dignity of the Papacie, whose authority was treated of by medling with the priviledges, and what they might hope for from the Pope and Legats, applying themselves to that which is just, and not depriving the Friars of that they have enjoyed so long. That it was dangerous to despise so many learned men, now when heresies do trouble the Church. That the authority of Bishops should be enlarged, by granting them power to allow or disallow the Preachers when they preach out of the Churches of their Order; and when they preach in them, by making them acknowledge the Prelat, first asking his benediction. That the Bishops might punish the Preachers for heresie, & forbid them to preach, to avoid scandall. That they should be contented with this, and that other things should be added, as occasion served. By this meanes they gained so

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many, that they were ſecure to eſtabliſh the Decree with thoſe conditions. But there remained another difficulty; becauſe the Friars and Generals were not ſatisfied, and to diſtaſte them was not ſecure, and expreſly forbid by the Pope. They endeavoured to ſhew them, that the grant made to the Biſhops, was juſt and neceſſary, whereof themſelves were cauſe, by extending their priviledges too much, and by paſſing the bounds of honeſty. In fine, by admoniſhing the Biſhops to proceed ſo, that the Friars might not have cauſe to complaine, the Generals alſo were pacified.

When they made knowne their reſolution to condemne in the ſame Seſſion the Lutheran opinions of originall ſinne, they alleadged, that to keep the order of putting both the matters together, it was neceſſary to handle ſome point of faith, and that they could not begin from any other point. And they propoſed the Articles extracted out of the Proteſtants doctrine in that matter, to bee examined and diſcuſſed by the Divines in the Congregations, whether they ought to be condemned for hereticall. The Cardinall *Paceco* ſaid, that the Councell was to handle Articles of faith, onely to reduce *Germany*, the which hee that would do out of ſeaſon, ſhould not onely faile of his end, but make matters worſe. When there is opportunity to do it, it cannot bee knowne to thoſe in *Trent*, but onely to him that ſitteth at the ſterne of that Countrey, who, ſeeing all particulars, knoweth when to apply the medicine. Therefore hee adviſed that they ſhould crave by letters the opinion of the principall Prelats of the Nation, before they went any further, or that the Popes Nuncio ſhould ſpeak thereof with the Emperour. To which opinion the Emperours Prelats, induced by the Ambaſſadour, did adhere. But the Legats, commending their judgement, and promiſing to write to the Nuncio, added, that, notwithſtanding this, the Articles might be diſputed by the Divines, to gaine time; whereunto the Cardinall alſo, and the others, adhered, hoping that many difficulties might come acroſſe, to cauſe a delay, and the Ambaſſadour *Toledo* was contented, ſo that the Summer might be paſt before the definition were made.

The Articles propoſed, were,

The Points of originall ſinne to be diſcuſſed.

1. That *Adam*, by tranſgreſſing the precept, hath loſt juſtice, and incurred the wrath of God, and mortality; and though he be impaired both in ſoule and body, yet no ſinne is transferred from him to poſterity, but onely corporall puniſhments.

2. That *Adams* ſinne is called originall, becauſe it is derived from him to poſterity, not by tranſmiſſion, but by imitation.

3. That originall ſinne is ignorance, or contempt of God, or want of feare, without confidence in his Majeſty, without divine love, and with concupiſcence, and bad deſires; and generally a corruption of the whole man in his will, ſoule, and body.

4. That in children there is an inclination to evill, proceeding from the corrupted nature, ſo that after the uſe of reaſon, it bringeth forth a loathing of divine things, and an immerſion in matters of the world; and that this is originall ſinne.

5. That children, at the leaſt borne of faithfull parents, though they are baptized

baptized into the remiſſion of ſinnes, yet they have no ſinne by deſcending from *Adam*. 1546

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6. That originall ſinne is not cancelled in Baptiſme, but not imputed, or ſo razed, that it beginneth to diminiſh in this life, and is wholly rooted out in that to come.

7. That the ſinne remaining in the baptized, hindreth his entrance into heaven.

8. That concupiſcence which cheriſheth ſinne, and remaineth after Baptiſme, is truely ſinne.

9. That the principall puniſhment due to originall ſinne, is hell-fire, beſides corporall death, and other imperfections, unto which man is ſubject in this life.

The divines in the Congregation agreed, that to diſcuſſe thoſe Articles, it was neceſſary not to proceed in that order, but to examine all the matter methodically, and ſee what was ſinne in *Adam*, and what, derived from him to poſterity, is ſinne in all men, called originall, how it is tranſmitted, and how remitted.

The diſcuſſion of originall ſinne.

In the firſt point alſo they agreed, that *Adam* being deprived of righteouſneſſe, his affections rebelled againſt reaſon; which the Scripture uſeth to expreſſe, ſaying, the fleſh rebelleth againſt the ſpirit, and by one only name, calleth his defect Concupiſcence. That hee incurred the wrath of God, and corporall mortality, threatned by God, together with the ſpirituall death of the ſoule: and yet that none of theſe defects can be called ſinne, but puniſhments that follow. For ſinne is formally the tranſgreſſion of a divine precept. And here many enlarged themſelves, to finde out the kinde of this fault. Some ſaid it was pride, ſome gluttony, ſome infidelity, and ſome more ſoundly, that it might be drawne to all theſe, and more. But he that will take S. *Pauls* words for his ground, can put it in no other kinde, but of pure diſobedience. But ſeeking to know what thing derived from *Adam* is ſin in us, the opinions were more divers. For S. *Auſtin*, who firſt ſought into the eſſence thereof, following S. *Paul*, ſaid it is concupiſcence. And S. *Anſelmus*, many hundred yeeres after, holding that ſin is cancelled in the baptized, concupiſcence ſtill remaining, maintained that it is the privation of originall righteouſneſſe, which in Baptiſme is renewed, by a thing equivalent, which is grace. But S. *Thomas*, and S. *Bonaventure*, deſiring to reconcile theſe two opinions, conſidered that in our corrupted nature there are two rebellions; one of the ſoule againſt God, the other of the ſences againſt the ſoule; and that this is concupiſcence, and that unrighteouſneſſe, and therefore both together are the ſin. And S. *Bonaventure* gave the firſt place to concupiſcence, ſaying that this is poſitive, and the other negative. And S. *Thomas* contrarily made concupiſcence the materiall part, and the privation of righteouſneſſe the formall. Whereupon he ſaid, that this ſinne in us is concupiſcence, deſtitute of originall righteouſneſſe. The Maſter of the Sentences, and the old Schoolemen followed S. *Auſtins* opinion, which was maintained in the Councell by two Hermite Friars. But becauſe *John Scotus* defended the opinion of his countrey-man *Anſelmus*, the Franciſcans maintained it in the Councel, and the greater part of the Dominicans that of S. *Thomas*. So it was

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declared what was the ſinne of *Adam*, and what originall ſinne in other men.

How originall ſinne is tranſmitted to poſterity.

But they were more troubled to diſcourſe how it was tranſmitted from him to poſterity, and ſucceſſively from father to ſonne. For Saint *Auſtin*, who opened the way unto others, preſſed with the objection of *Julianus* the Pelagian, who asked him of the manner of tranſmitting originall ſinne when man is conceived, ſeeing that Matrimony and the vſe thereof is holy, neither God the firſt author ſinning, nor the parents, nor he that is borne, by what chinke ſinne entred, anſwered onely, that chinkes were not to be ſought where a gate ſtood wide open, the Apoſtle ſaying, that by *Adam* ſinne entred into the world. And in many places where hee was to ſpeak hereof, he ſhewed himſelfe doubtfull, and was irreſolute whether as the body of the child is derived from the body of the father, ſo the ſoule from the ſoule. For the fountaine being infected, the river muſt needs be defiled. The modeſty of this Saint, was not imitated by the Schoolemen; who, being reſolved that every ſoule is created immediately by God, ſaid, that the infection was principally in the fleſh, contracted by our fore-fathers in the earthly Paradiſe, either from the poyſoned quality of the fruit, or the venimous breath of the Serpent. Which contamination is derived into the fleſh of the children, which is a part of their parents fleſh, and is contracted by the ſoule in the infuſion, as a liquor contracteth the ill qualitie of an infected veſſell; and the infection is cauſed in the fleſh, by the luſt of the parents in the generation. But the varietie of opinions made no difference in the cenſure of the Articles: For every one cleaving to his owne, ſhewed that it was decided by it, that the firſt Article was hereticall, which undoubtedly was condemned for ſuch in the Councell of *Paleſtina*, and in many of *Africa* againſt *Pelagius*. And it was reexamined in *Trent*, not as it was found in the writings of *Luther*, or his followers, but as it was averred by *Zuinglius*: who, notwithſtanding ſeemed to ſome of the Divines, who diſcuſſed his words well, to think rather that in the poſterity of *Adam* it was no ſinne of action, but a corruption and transformation of nature, which he called a ſinne in the kinde of ſubſtance.

The ſecond Article was eſteemed hereticall by all, and was by the ſame *Pelagius* long ſince invented, who, becauſe he was not condemned in the Councell of *Paleſtina*, for ſaying that *Adam* had not hurt his poſteritie, hee recanted, and confeſſed the contrary, and after, together with his followers, declared himſelfe that *Adam* had damnified his poſterity, not by tranſmiſſion of ſinne, but by giving them a bad example, which hurteth thoſe that do imitate it. And *Eraſmus* was noted to have renewed the ſame aſſertion, interpreting the place of Saint *Paul*, That by *Adam* ſinne entred into the world, and paſſed into all, in regard all have imitated, and do intimate his tranſgreſſion.

The third Article for the firſt part, was cenſured in *Trent*, as alſo in many Colloquies in *Germany*, by ſaying that thoſe actions could not bee originall ſinne, ſeeing they are not in children, nor alwayes in thoſe of ripe age: ſo that to ſay there was no ſinne but that, was wholly to denie it, and not to ſatisfie the excuſe of thoſe in *Germany*, who under the name of actions, underſtand a naturall

a naturall inclination to ill, and an inability to good. For, if they underſtood it ſo, it was fit to ſay it, and not to ſpeak evill, but ſo as that others may underſtand them well. And though Saint *Auſtin* ſpake thus when he ſaid, that originall righteouſneſſe was to obey God, and not to have concupiſcence, he would alter his ſpeech if hee had beene in theſe times, becauſe it is very lawfull to name the cauſe for the effect, and the effect for the cauſe, when they are proper and adequate. But it is not ſo in this caſe; for originall ſinne is not the cauſe of thoſe bad actions, except a bad will, as principall, bee added. But for the ſecond part of the Article, they ſaid, that if the Proteſtants underſtood a privative corruption, the opinion may bee tolerated; but they underſtand a corrupted ſubſtance, as if the proper nature of man were changed into another forme, then that in which it was created, and reprehend the Catholikes, when they call the ſinne a privation of Juſtice, as a fountaine without water; but they call it a fountaine from whence corrupted waters do iſſue, which are the acts of incredulity, diſtruſt, hatred, contumacie, an inordinate love of ones ſelfe, and worldlie things: and therefore that it was fit abſolutely to condemne the Article. And the fourth alſo was cenſured by the ſame reaſon, ſaying that inclination to be the puniſhment of ſin, and not ſinne formally; and without alleadging ought elſe, it was abſolutely denied to be a ſinne. 1546 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1.

It muſt not be omitted that in this point, the Franciſcans could not conteine themſelves from exempting the Virgin, the mother of GOD, from this law by a ſpeciall priviledge, endeavouring to enlarge themſelves in the queſtion, and to prove it; and the Dominicans laboured to comprehend her by name, under the common law, though the Cardinall of *Monte* omitted no occaſion to make them leave that controverſie, ſaying, they were aſſembled to condemne the hereſies, not the opinions of the Catholikes. The Franciſcans exempt the Virgin *Mary* from ſinne, and are oppoſed by the Dominicans.

No man reſiſted the condemnation of the Articles. But Friar *Ambroſius Catarinus* noted the reaſons for unſufficient, in that they declared not the true nature of this ſinne; and ſhewed it in a long diſcourſe. The ſubſtance whereof was; that it is neceſſary to diſtinguiſh the ſinne from the puniſhment; that concupiſcence and privation of righteouſneſſe, is the puniſhment of ſinne; therefore that it is neceſſary the ſinne ſhould bee another thing. He added, that which was not a ſin in *Adam*, it is impoſſible it ſhould be a ſinne in us: but neither of theſe two were ſin in *Adam*, becauſe neither privation of righteouſneſſe, nor concupiſcence were his actions; therefore neither are they in us; and if they were effects of ſinne in him, of neceſſity they muſt be ſo in others alſo. By which reaſon, it cannot be ſaid that ſinne is the enmitie of GOD againſt the ſinner, nor the ſinners enmitie againſt GOD, ſeeing they are things that follow ſinne, and come after it. He oppugned alſo the tranſmiſſion of ſinne, by meanes of the ſeed and generation, ſaying, That as, if *Adam* had not ſinned, righteouſneſſe would have beene tranſfuſed, not by vertue of the generation, but onely by the will of God, ſo it is fit to finde another meanes to tranſfuſe ſinne. And hee explained his opinion in this forme; that as God made a Covenant with *Abraham* and all his poſteritie, when he made him father of the faithfull, ſo when he gave originall righteouſneſſe to *Adam* and all mankinde, he made him ſeale an obligation The opinion of *Catarinus*.

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ligation in the name of all, to keep it for himselfe and them, observing the commandements; which because he transgressed, he lost it as well for others as himselfe, and incurred the punishments also for them; the which as they are derived into every one, so the very transgression of *Adam* belonged to every one; to him as the cause, to others by vertue of the Covenant; so that the action of *Adam* is actuall sinne in him, and imputed to others, is originall; because when he sinned, all mankind did sinne with him. *Catarinus* grounded himselfe principall, for that a true and proper sinne must needs be a voluntary act, and no other thing can be voluntary but the transgression of *Adam* imputed unto all. And *Paul* saying that all have sinned in *Adam*, it must bee understood that they have all committed the same sinne with him. He alleadged for example, that S. *Paul* to the *Hebrewes* affirmeth, that *Levi* paid tithe to *Melchizedech*, when he paid it in his great Grandfather *Abraham*; by which reason it must be said, that the posterity violated the commandement of God, when *Adam* did it, and that they were sinners in him, as in him they received righteousnesse. And so there is no need to run to lust which infecteth the flesh, whence the soule receiveth infection. For it cannot be understood, how a spirit can receive a corporall passion; and if sinne were a spirituall blemish in the soule, it could not first be in the flesh, and if it be corporall in the flesh, it can work none effect in the spirit. That the soule, by joyning it selfe with an inffected body, doth receive spirituall infection, is an unconceiveable transcendencie. Hee proved the covenant of God with *Adam*, by a place of the Prophet *Osea*, by another of *Ecclesiasticus*, and by many places of S. *Austin*. That the sinne of every one is the act onely of the transgression of *Adam*, he proved by Saint *Paul*, when he saith, That by the disobedience of one man, many are made sinners; and because the Church hath ever understood that sinne is nothing else but a voluntary action against the law, of which kind there was none but that of *Adam*; and because Saint *Paul* saith, That death entred by originall sinne, which entred onely by actuall transgression. And hee brought for the principall proofe, that though *Eve* did eat the apple before *Adam*, yet she knew not she was naked, nor that she had incurred the punishment, but onely after *Adam* had sinned. Therefore *Adams* sinne, as it was not his alone, but of *Eve* too, so was it also of all his posterity.

Dominicus Soto crosseth the opinion of *Catarinus*.

But Friar *Dominicus Soto*, to defend the opinion of Saint *Thomas*, and of the other Divines from the objections of *Catarinus*, brought a new exposition, and said, that *Adam* sinned actually in eating of the forbidden fruit, but after he remained a sinner by an habituall quality, caused by the action, as by every bad action such a disposition is bred in the minde of the actor, by which, though the act be past, he remaineth and is called a sinner; that *Adams* action was transitory, nor had existence, but while he wrought; that the habituall quality remaining in him, passed into the posterity, and is transfused as proper unto every one; that *Adams* action is not originall sin, but that consequent habit which the Theologues call privation of righteousnesse, which may bee well expounded, considering that man is called a sinner, not onely when he transgresseth actually, but after also, untill the sin be cancelled, not in regard of the punishments, or other consequences of sinne, but in regard of the

the preceding tranſgreſſion it ſelfe; as that which maketh a man crooked, untill he be ſtraightned againe; who is ſaid to be ſo, not by an actuall action, but by that effect which remaineth after the action is paſt. He compared originall ſinne to crookedneſſe, as it is indeed a ſpirituall obliquitie; for the whole nature of man being in *Adam*, when hee made himſelfe crooked by tranſgreſſing the Precept, the whole nature of man, and by conſequent, every particular perſon remained crooked; not by the curvitie of *Adam*, but by his owne, by which he is truely crooked and a ſinner, untill hee bee ſtraightned by the grace of God. Theſe two opinions were ſharply diſputed, and every one pretended that his owne ſhould be received by the Synod. 1546 PAUL 3. CHARLES 5. HENRY 8. FRANCIS 1.

But in the conſideration how originall ſinne was remitted, they agreed all, that it is cancelled by Baptiſme, and the ſoule reſtored pure into the ſtate of innocencie, though the puniſhments which follow ſinne be not removed, that they may be an exerciſe for the juſt. And this all of them expounded by ſaying, that the perfection of *Adam* conſiſted in an infuſed quality, which adorned the ſoule, made it perfect and acceptable to God, and exempted the body from mortality. And God, for the merit of CHRIST, giveth unto thoſe that are regenerated by Baptiſme another quality called juſtifying grace, which wiping out every blemiſh in the ſoule, maketh it pure, as was that of *Adam*; yea in ſome it worketh greater effects then originall righteouſneſſe, but onely that it worketh no effect in the body, whereby mortality, and other naturall defects are not removed. Many places of Saint *Paul* and the other Apoſtles were alleadged, where they ſay, that Baptiſme waſheth, cleanſeth, illuminateth and purifieth the ſoule, ſo that no condemnation, ſpot or wrinkle remaineth. It was exactly diſcourſed, how, if the baptized have no ſinne, ſinne can paſſe into their children? Whereunto *Auguſtinus* anſwered with examples onely: as of a circumciſed father the ſonne is borne uncircumciſed, and of a blinde man one that can ſee, and of a pure graine one clad in ſtraw. *Catarinus* anſwered, that the Covenant was made with *Adam* onely, and that every one hath ſinne by imputation of that of *Adam*; ſo that the intermediate Parents have nothing to do therein: and if the forbidden fruit had beene eaten, not by *Adam*, but by one of his ſonnes, his poſterity had not ſinned; and if *Adam* had ſinned after he had begot ſonnes, his ſinne had beene imputed to them though borne before. *Soto* diſputed againſt it, that if *Adam* had ſinned after his ſonnes were borne, thoſe would not have beene obnoxious unto it, but their poſterity ſhould. *How originall ſin is remitted*

The common voyce was, that the ſixt Article was hereticall, for ſaying there remaineth in the baptized ſomething worthie of death: and the ſeventh for leaving remainders of ſinne in the baptized: and the eight moſt cleerely, for making concupiſcence a ſinne in the baptized. Only *Antonius Marinarus*, a Carmelite Friar, affirming as the others, that ſin is cancelled by Baptiſme, and that concupiſcence is before ſinne, yet, for condemning the contrary of hereſie, he conſidered that Saint *Auſtin* being old, writing hereof to *Bonifacius*, ſaid plainely, that concupiſcence was not a ſinne but a cauſe and an effect of ſinne: and writing againſt *Julianus*, he ſaid in as plaine termes, that it

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was ſinne, and the cauſe, and effect thereof: and yet in his retractations he never made mention of either of theſe two contrary propoſitions, becauſe hee thought he might ſpeak both wayes of it, in regard it was not a matter of faith, the difference being rather verball then otherwiſe. For it is one thing to aske if a thing bee a ſinne, or if it bee a ſinne to a perſon excuſed. As hee that goeth forth to hunt for things neceſſary for his ſuſtenance, if hee think to kill a wilde beaſt, and, by invincible ignorance, ſlay a man, the Lawyers ſay that the action is murder, and a ſinne: but the hunter is excuſed, ſo that unto him it is not, by reaſon of his ignorance. So concupiſcence, being the ſame before and after baptiſme, is ſinne in it ſelfe; and Saint *Paul* ſaith, that it reſiſteth the Law of God, even in the regenerate, and whatſoever doth that, is ſinne. But hee that is baptized is excuſed; becauſe hee is clad with Christ: ſo that the Article is true one way, and falſe another; and it is not juſt to condemne a propoſition, which is true in one ſence, without diſtinguiſhing it firſt. This opinion was rejected by all, and it was ſaid that Saint *Auſtin* made two ſorts of concupiſcence; one, before baptiſme, which is a repugnancie of the will to the Law of God, which hee ſaid was ſinne, and aboliſhed in baptiſme; another, which is the repugnancie of the ſence to reaſon, which remaineth after baptiſme, which S. *Auſtin* called the cauſe and effect, but never ſinne: and when hee ſeemeth to ſay otherwiſe, it muſt be defended that his minde is; that concupiſcence is a ſinne, which by baptiſme leaveth to be ſo, and becommeth an exerciſe of vertue and good works. To this opinion of *Soto* they joyned what he had ſaid in his ſermons, made in the Maſſe on the fourth Sunday of the laſt Advent, and in that of the Lent, exhorting to repoſe all confidence in God, condemning all truſt in works, and affirming that the heroicall Acts of the ancients, ſo renowned by men, were truely ſin; that hee ſpake of the difference of the Law and the Goſpel, not as of two times, but as if the Goſpel had beene ever, and the Law ought to bee ever, and alſo of the certainty of Grace, though with ambiguous and doubtfull clauſes, for feare they might ſo reprehend him, that he could not bee defended. This made the Friar ſuſpected by ſome, that he was not wholly averſe from the Proteſtants doctrine.

Soto is ſuſpected of Lutheraniſme.

When they came to the Article of the puniſhment, though Saint *Auſtin*, grounding himſelfe upon Saint *Paul*, held expreſly, that the paines of hell-fire belonged unto it, even in little children, whereunto none of the holy Fathers contradicted, yet the maſter of the ſentences, with the Schoolemen, who follow moſt of all Philoſophicall reaſons, diſtinguiſhed two kinds of eternall puniſhments; one, the privation onely of celeſtiall bleſſedneſſe; the other, a chaſtiſement: and they aſſigned the firſt onely to originall ſinne. Onely *Gregorie* of *Ariminii* forſooke the generall opinion of the Schoolemen, who by that meanes gained the name of *Tormenter of children*. But neither he nor Saint *Auſtin* were defended by the Theologues in the congregations. Yet there was another diviſion amongſt them. For the Dominicans ſaid that children dead, without baptiſme before the uſe of reaſon, remaine after the reſurrection in a *Limbo* and darkneſſe under the earth, but without fire: the Franciſcans ſaid they are to remaine upon the earth, and in light

A difference betweene the Franciſcans and Dominicans about *Limbo*.

light. Some affirmed alſo, that they ſhould be Philoſophers, buſying themſelves in the knowledge of naturall things, not without that great pleaſure which happeneth when curioſity is ſatisfied by invention. *Catarinus* ſaid further, that they ſhall bee viſited and comforted by the holy Angels and Saints. And in this ſo many vanities were delivered, that they might give great matter of entertainment. But for reverence of *Auſtine*, and not to condemne *Gregory* of *Arimini*, the *Auguſtinians* made great meanes, that the Article, though falſe, as they thought, might not be condemned for hereticall; though *Catarinus* imployed all his force to the contrary, to repreſſe, (as he ſaid) the boldneſſe and ignorance of ſome Preachers, who, to the great ſcandall of the people, publiſh that doctrine, affirming that Saint *Auſtine* had ſaid ſo onely in heat of diſputation againſt the Pelagians, and not becauſe hee was cleare in that opinion. Whereupon, ſince the truth is declared to the contrary by common conſent of the Schooles, and that the Lutherans have raiſed the ſame errours, and the Catholikes themſelves fall into it, the declaration of the Synod is neceſſary.

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The cenſure of the Divines being ended, and the points treated of by the Fathers, to reſolve upon the forme of the Decree, the Biſhops (amongſt whom very few had knowledge in Theologie, but were either Lawyers, or learned men of the Court) were confounded with this ſcholaſticall and crabbed manner of handling the Articles, and amongſt ſo many opinions, knew not what to think of the eſſence of originall ſinne. That of *Catarinus* was beſt underſtood, becauſe it was expreſſed by a politicall conceit of a bargaine made by one for his poſterity, which being tranſgreſſed, they are all undoubtedly bound; and many of the Fathers did favour that. But perceiving the contradiction of the other Divines, they durſt not receive it. For remiſſion of the ſinne, this onely they held to be cleere, that every one hath originall ſin before baptiſme, and is perfectly purged of it by baptiſme. Therefore they concluded that this ſhould be eſtabliſhed for faith, and the contrary condemned for hereſie, together with all thoſe opinions which deny originall ſin, in what ſort ſoever: but what that ſin is, there being ſo many differences amongſt the Divines, they ſaid it was not poſſible to ſet downe ſo circumſpectly, that it might ſatisfie all, and not condemne ſome opinion, which might cauſe a ſchiſme.

The Prelats did ſcarcely underſtand the diſcourſes of the Divines.

Marcus Viguerius, Biſhop of *Siniagalia*, Friar *Jerom* Generall of S. *Auſtin*, and *Andreas Vega*, a Franciſcan Divine, were oppoſite to this generall inclination. This laſt ſhewed more then the others, that it was not convenient, nor ever uſed by any Councell, to condemn an opinion for hereticall, without declaring firſt which is Catholike; that no true negative hath in it ſelfe the cauſe of its truth, but is ſo by the truth of an affirmative; nor ever any propoſition was falſe, but becauſe another is true: neither can the falſity of the one be knowne, but by him who knoweth the truth of the other. Therefore the opinion of the Lutherans cannot bee condemned of hereſie, untill the opinion of the Church be ſet downe. He that ſhall obſerve the manner of proceeding in all Councels, which have handled matter of faith, will ſee, that they have laid firſt an Orthodoxe foundation, and by that condemned the hereſies; and ſo it is neceſſary to do now. For when it ſhall be read that the

Andreas Vega a Franciſcan, oppoſeth the common inclination to condemne the opinion of the Lutherans without declaring the opinion of the Catholikes.

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the Councell of *Trent* hath condemned the Lutherans, for ſaying originall ſinne is ignorance, contempt, diſtruſt, and hate of heavenly things, and a corruption of the whole man in the will, ſoule, and body, who is there that will not demand, what is it then? and will not ſay in himſelfe, if this opinion be hereticall, which is Catholike? And when he ſhall ſee the opinion of *Zuinglius* condemned, that children the ſonnes of the faithfull, are baptized into remiſſion of ſinnes, though nothing be tranſmitted from *Adam* but the puniſhments, and the corruption of nature, will not ſuddenly ask, what elſe is then tranſmitted? In ſumme, he concluded, that the Councell was aſſembled principally to tell the Catholike truth, not onely to condemne hereſies. The Biſhop ſaid, That theſe Articles having beene ſo often diſputed in the Diets of *Germany*, every one would expect from the Councell a perſpicuous doctrine, cleared from all difficulties. The Generall alſo, who was ſomewhat ſuſpected to be ſuborned by the Ambaſſadour *Toledo*, added, that the true Catholike Doctrine of originall ſinne is contained in the writings of S. *Auſtin*; that *Egidius Romanus* had wrote a book thereof, that whenſoever the Fathers would take but a little paines, they might bee able to underſtand the truth, and judge of it; that they ſhould not ſuffer a fame to be ſpread, that in *Trent* that was reſolved in foure dayes, which in *Germanie* hath beene ſo long diſcuſſed without concluſion.

The Biſhop of *Siniagalia*, & Friar *Irom* Generall of the *Auguſtins* ſpeak to the ſame purpoſe.

Theſe advertiſements were not hearkened unto, becauſe the Prelats had no hope to bee able by ſtudy to bee well informed in the crabbed ſchoole-points, neither durſt they go about to make triall of it; and becauſe the Legats had received abſolute command from *Rome* to define this matter in the next ſeſſion, they were conſtrained to avoid the difficulties, eſpecially becauſe the Cardinall of *Monte* was reſolved to make this great jump by all meanes. And therefore calling unto him the Generals of the Orders, and the Divines, *Catarinus* and *Vega*, who ſpake more then the reſt, he charged them to paſſe by the difficulties, and help forward the diſpatch.

The Prelats deputed to frame the Decree, with the aſſiſtance of the Divines, devided the matter into five *Anathematiſmes*. The firſt, of the perſonall ſin of *Adam*: the ſecond, of the tranſfuſion into poſterity: the third, of the remedy by baptiſme: the fourth, of the baptiſme of children: the fifth, of concupiſcence remaining. After this, the opinions of the *Zuinglians* were condemned in the foure firſt, and of *Luther* in the fifth. They conferred on theſe Articles almoſt all, adding and taking away what they thought fit with much concord, but onely that the *Franciſcan* Biſhops and Friars approved not, that it ſhould be generally ſaid, that the ſinne of *Adam* paſſed into all mankinde, becauſe the bleſſed Virgin, the mother of our Lord, was comprehended, if ſhe were not particularly excepted; and they deſired the exception. The *Dominicans* ſaid on the contrary, that the propoſition ſo generall, and without exception was Saint *Pauls*, and all the holy Doctors, and therefore that it was not fit to alter it with an exception: and that contradiction waxing warme, they fell into the queſtion which the Legats had often diverted. They ſaid, that though the Church had tolerated the opinoin of the conception, yet he that would examine the matter well, might finde that ſhe was not exempted from the common infection. And the others oppo-

The *Franciſcans* deſire that the Virgin *Mary* ſhould be excepted.

ſed,

ſed, that it would be as much as to condemne the Church, who celebrateth the conception as immaculate, and a kinde of ingratitude, derogating from the honour due unto her, by whom all the graces of CHRIST paſſe unto us. The diſputations turned into contention, ſo farre, that the Emperours Ambaſſadour had hope to obtaine his deſigne, that the matter might not be propoſed in the next Seſſion. 1546 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1.

Many things were propoſed upon that occaſion, which cauſed them to proceed to the Decree, which ſhall bee rehearſed; which becauſe it afforded matter of diſcourſe, for the entire underſtanding of all, it is neceſſary to relate from the beginning the originall of this controverſie. After that the impiety of *Neſtorius* had divided CHRIST, making two ſonnes, and denying him to be God who was borne of the bleſſed Virgin, the Church, to inculcate the Catholike truth in the minds of the faithfull, made often mention of her in the Churches as well of the Eaſt as of the Weſt, with this ſhort forme of words in Greek, *Maria* Θεότοκος in Latin, *Maria mater Dei.* This being inſtituted onely for the honour of CHRIST, was by little and little communicated alſo to the mother, and finally applyed to her alone; and therefore when images began to multiply, CHRIST was painted as a babe in his mothers armes, to put us in minde of the worſhip due unto him, even in that age. But in progreſſe of time, it was turned into the worſhip of the mother without the ſonne, hee remaining as an appendix in the picture. The writers and Preachers, eſpecially thoſe that were contemplative, carried with the torrent of the vulgar, which is able to do much in theſe matters, leaving to mention CHRIST, invented with one accord new praiſes, Epithites, and religious ſervices; in ſo much that about the yeere 1050. a daily *Office* was inſtituted to the bleſſed Virgin, diſtinguiſhed by ſeven Canonical houres; in a forme which anciently was ever uſed to the honour of the Divine Majeſty, and in the next hundred yeeres, the worſhip ſo increaſed, that it came to the height, even to attribute that unto her, which the Scriptures ſpeak of the Divine wiſdome. And amongſt theſe invented novities this was one, her totall exemption from originall ſinne. Yet this remained onely in the breaſts of ſome few private men, having no place in Eccleſiaſticall ceremonies, or amongſt the learned. About the yeere 1136 the Canons of *Lions* dared to bring it into the Eccleſiaſticall *Offices*. Saint *Bernard*, who lived in thoſe times, eſteemed the moſt learned and pious of that age, who was moſt frequent in the praiſes of the bleſſed Virgin, ſo farre as to call her the neck of the Church, by which every grace and influence paſſeth from the head, inveighed ſeverely againſt the Canons, and wrote unto them, reprehending them for introducing a dangerous novity without reaſon, or example of antiquitie; that there want not places to praiſe the Virgin, who cannot be pleaſed with a preſumptuous novitie, mother of raſhneſſe, ſiſter of ſuperſtition, daughter of lightneſſe. The next age had Schoole-Doctors of both the orders Franciſcan and Dominican, who in their writings refuted this opinion, untill about the yeere 1300. when *John Scot*, a Franciſcan, putting the matter into diſputation, and examining the reaſons, did flie to the omnipotencie, ſaying that God had power to free her from ſinne, or to cauſe ſinne to remaine in her onely for an inſtant, or for a certaine time: that God onely

A diſcourſe of the Author to ſhew how the bleſſed Virgin came to bee worſhipped.

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knoweth which of theſe three is true; yet it is probable to attribute the firſt to *Marie*, in caſe it bee not repugnant to the authority of the Church, and of the Scripture. The doctrine of this famous Divine was followed by the Franciſcan order. But in the particular of the conception, ſeeing the way laid open, they affirmed abſolutely for true, that which he had propoſed as poſſible and probable, under this doubtfull condition, *if it be not repugnant to the Orthodoxe Faith.* The Dominicans did conſtantly reſiſt, and followed Saint *Thomas*, one of their order, famous for his learning, and for the approbation of Pope *John* the two and twentieth, who, to depreſſe the Franciſcans, who did for the moſt part adhere to the Emperour *Lewis* of *Bavaria*, excommunicated by him, did canonize that Doctour and his doctrine. The ſhew of pietie and devotion made the Franciſcan opinion generally more accepted, and more tenaciouſly received by the Univerſity of *Paris*, which was in credit for eminent learning; and after long ventilation and diſcuſſion, was afterwards approved by the Councell of *Baſil*, which forbad to preach and teach the contrarie. This took place in thoſe Countries which received the Councell. Finally, Pope *Sixtus* the fourth, a Franciſcan, made two Buls in this matter; one in the yeere one thouſand foure hundred ſeventie ſix, approving a new *Office*, compoſed by *Leonard Nogarola Protonotarie*, with Indulgences to him that did celebrate it, or aſſiſt: the other in the yeere one thouſand foure hundred eighty three, condemning the aſſertion, as falſe and erronious, that it is hereſie to hold the conception, or a ſinne to celebrate it, excommunicating the Preachers and others who noted that opinion of hereſie, or the contrarie, becauſe it was not as yet decided by the Church of *Rome* and the Apoſtolike Sea. But this did not appeaſe the contentions, which betweene the two orders of Friars ſtill waxed ſharper, and were renewed every yeere in December; ſo that Pope *Leo* the tenth thinking to give a remedy by deferring the controuerſie, made letters be written unto divers. But afterwards he had more important cogitations, by reaſon of the novities of *Germany*, which in theſe contentions wrought that which happeneth in States, that the Citie being beleaguered, the factions do ceaſe, and all joyne againſt the common enemie. The Dominicans grounded themſelves upon the Scripture, the doctrine of the Fathers, and the moſt ancient Schoole-men, where not one jot was found in favour of the others; but they alleadged for themſelves miracles, and contentment of the people. *John* of *Udine*, a Dominican Friar, ſaid, either you will that Saint *Paul* and the Fathers have beleeved this exemption of the Virgin from the common condition, or not. If they have beleeved it, and yet have ſpoken generally without ever making mention of this exception, imitate them alſo now. But if they have beleeved the contrarie, your opinion is a novitie. *Jerolamus Lombardellus*, a Franciſcan Friar, ſaid, that the authority of the preſent Church, was no leſſe then that of the Primitive; if the conſent of that in thoſe times made men ſpeak without exception, the conſent of this, which appeareth in celebrating the Feaſt throughout, ought to induce us not to omit it.

S. Thomas is canonized by Pope John the 22. to digrace the Franciſcans.

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The Legat wrote to *Rome* of the marvellous agreement of all against the Lutheran doctrine, and the resolution taken to condemne it, and sent a copie of the *Anathematismes* framed, giving advice withall of the contention raised about the conception. Whereunto it was answered from *Rome*, that by no meanes they should meddle with a matter, which may cause a schisme betweene Catholikes, but should strive to reconcile the parties, and give them both satisfaction, and aboue all to preserve in strength the brieue of *Sixtus* 4. The Legats having received the order, did by themselves, and by the wiser sort of Prelats perswade both parties to lay aside the contentions, and apply themselves joyntly against the Lutherans. They were on both sides contented to be silent, so that their opinion were not prejudiced: yet the Franciscans said that the *Canon* was against them if the Virgin were no excepted, and the Dominicans that they were condemned if she were. It was necessary to finde a way how it might be declared that she was neither comprehended, nor affirmatively excepted; which was by saying, they had no intention either to comprehend or except her. Afterwards at the great instance of the Franciscans, the others were content it should bee said onely they had no meaning to comprehend her. And to obey the Pope, it was added, that the constitutions of *Sixtus* 4. should be observed.

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The Pope commandeth that the contention about the conception should be omitted for feare of making a schisme.

While these things are handled in *Trent*, the Diet being assembled in *Ratisbon*, the Emperour shewed great displeasure that the Colloquie was dissolved without fruit, and required that every one should propose what hee thought fit to appease *Germany*. The Protestants desired that the difference of Religion might be composed, according to the *Recesse* of *Spira*, by a nationall Councell, saying it was more fit then a generall, because by reason of the great difference in opinions betweene *Germany* and other Nations, it is impossible to avoid the raising of a greater contention: and whosoever will enforce *Germany* to change opinion, must first slay many thousands of men; which would be a dammage to the Emperour, and a joy to the Turks. The Emperours ministers answered, that his Majesty was not the cause why the Decree of *Spira* was not executed; and that it was knowne unto all, that, to make so necessary a peace with the French King, hee was constrained to yeeld to the Pope in matters of Religion; that the Decree was fitted to the necessities of that time, which being changed, it was also necessary to change opinion; that in Nationall Councels sometimes maners are amended, but Faith and Religion never handled, that in Colloquies one hath to do with Theologues, who for the most part are untractable & obstinate; so that with them one cannot come to such moderate Councels as is necessary; that none loved Religion more then the Emperor, who would not swarve one jot from that which is just & honest, to please the Pope: but he knew well, that in a NationalCouncel he should neither be able to reconcile the parties, nor find whom to make judge. The Ambassadours of *Mentz* and *Triers* divided themselves from the other foure, and being united with all the Catholikes, approved the Tridentine Councell, and besought *Cæsar* to protect it, and to perswade the Protestants to go thither and submit themselves unto it. They answered that the Councell in *Trent* was not free, as was demanded and promised in the Imperiall Diets: they desired againe that the Emperour would observe

The Diet of *Ratisbon*.

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the peace, and ordaine that Religion might be eſtabliſhed in a lawfull Councell of *Germany*, or an Imperiall Diet, or a Colloquie of learned men on both ſides.

The proviſions for warre againſt the Proteſtants can no longer be concealed.

In this interim, the Emperour had made ſecret proviſion for warre, which not being able longer to conceale, it was knowne to the Proteſtants in the Diet; and becauſe peace was concluded with the French King, and truce with the Turk, every one did eaſily perceive the cauſe: eſpecially for that a fame was ſpread, that the Pope alſo, and *Ferdinand* did arme, whereby all was in confuſion. And the Emperour ſeeing he was diſcovered, the ninth of June ſent the Cardinall of *Trent* Poſt to *Rome*, to demand of the Pope the ſuccours he promiſed, and ſent captaines with money into *Italy* and *Flanders* to levie Souldiers, and ſollicited the Princes, and Proteſtant German Captaines, not combined with thoſe of the league of *Smalcalda*, to follow his colours, affirming, and promiſing he would not make warre for Religion, but ſuppreſſe the rebellion of ſome, who, under that pretence, would not acknowledge the Lawes, nor the Majeſty of the Prince. By this promiſe he quieted many of the Cities, who before had received the renovation in the Rites of the Church, promiſing all benevolence to the obedient, and ſecurity for their Religion.

But in the Councell there being no more difference amongſt the Fathers concerning the things diſcuſſed, and the Decrees of faith and reformation being framed, the Emperours Ambaſſadour, being not able any longer to reſiſt the Legats reſolution, the ſeventeenth of June being come, the day appointed for the Seſſion, *Alexander Pichalbomini*, Biſhop of *Pianſa*, ſang Maſſe; *Marcus Laureus*, a Dominican Friar, preached; and when the uſuall ceremonies were ended, the Decree of faith, with five *Anathematiſmes*, was read. 1. Againſt him that confeſſeth not, that *Adam*, by tranſgreſſing hath loſt ſanctity and juſtice, incurred the wrath of God, death and thraldome to the Devill, and is infected in ſoule and body. 2. Againſt him that averreth that *Adam* by ſinning hath hurt himſelfe only, or hath derived into his poſterity the death onely of the body, and not ſinne, the death of the ſoule. 3. Againſt him that affirmeth that ſinne, which is one in the beginning, and proper to every one, tranſmitted by generation, not imitation, can be aboliſhed by any other remedy then the death of CHRIST: or denieth that the merit of CHRIST is applied as well to children, as to thoſe that be of ripe yeeres, by the Sacrament of Baptiſme, miniſtred in the forme and rite of the Church. 4. Againſt him that denieth that children which are newly borne ought to be baptized, though the ſonnes of Chriſtians; or ſaith they are baptized for remiſſion of ſinnes, but not becauſe they have contracted any originall ſinne from *Adam*. 5. Againſt him that denieth that by the grace of Baptiſme the guilt of originall ſinne is remitted, or ſaith that all is not removed which hath the true and proper nature of ſinne, but that it is razed and not imputed, concupiſcence ſtill remaining in the baptized for an exerciſe, which cannot hurt but him that conſenteth to it: the which being called ſinne by the Apoſtle, the Synod declareth that it is no true and proper ſinne, but is ſo termed becauſe it ariſeth from ſinne, and inclineth to it. That the Synod meaneth not to comprehend in the Decree the bleſſed Virgin, but that the

The Decree of faith with 5. *Anathematiſmes* is read in the Seſſion.

the conſtitutions of *Sixtus* 4. ought to be obſerved, which it doth renew. 1546

The Decree of the reformation containeth two parts; one in matter of the Lectures, the other of the Sermons. For the Lectures it was ordered, that in the Churches where there is a ſtipend allotted for reading Divinity, the Biſhop ſhould provide that the holy Scripture ſhould be read by the Stipendary, if he be fit, and not being fit, the Biſhop ſhould depute a ſubſtitute, to performe the charge: but for hereafter that the benefice ſhould not be conferred but upon a ſufficient perſon. That in the Cathedrall Churches of populous Cities, and collegiate Churches of great Caſtles, where no ſuch ſtipend is aſſigned, the firſt Prebend that falleth void, ſhould be applied to that uſe, or ſome ſimple Benefice, or a contribution of all beneficed men, to inſtitute the Lecture. That in poore Churches, there ſhould be at the leaſt a Maſter to teach Grammer, who ſhall enjoy the fruits of ſome ſimple benefice, or have a ſtipend from the Capitular or Epiſcopall table, or the Biſhop ſhall finde ſome other way to effect it. That in the Cloyſters of Monkes there ſhould be a Divinity Lecture, if it may be, wherein if the Abbats ſhall be negligent, they ſhall be conſtrained to do it by the Biſhop as the Popes Delegate. That in the Convents of the Regulars, there ſhould be deputed Maſters of ſufficiencie to performe this charge. That in publike ſtudies, where a Divinity Lecture is not inſtituted, it ſhall be inſtituted by the charity and piety of Princes, and Republiques; and where it hath beene inſtituted and neglected, it ſhall be reſtored. That none ſhall be made a Lecturer, either publike or private, before he be approved by the Biſhop, as fit for his life, manners, and knowledge, except thoſe that read in the Cloyſters of Monks. That the priviledges granted by law, to Publike Readers in Divinity, and Scholars, for the enjoying of the fruits of their Benefices, in their abſence ſhall be preſerved.

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The Decree of reformation.

Concerning Sermons the Decree containeth, that the Biſhops and Prelats be bound, if they be not hindred, to preach the Goſpel in perſon, and if they be, to ſubſtitute men of ſufficiencie. That the inferiour Curates ought to teach things neceſſary to ſalvation, either by themſelves, or others; at the leaſt on Sundayes and ſolemne Feaſts: whereunto they ſhall be conſtrained by the Biſhops, any exemption notwithſtanding. And the Curates of the Pariſhes ſubject to Monaſteries, which are in no Dioceſſe, ſhall be conſtrained to the ſame by the Metropolitans, as Delegates of the Pope, in caſe the Regular Prelat ſhall be negligent. That the Regulars ſhall not preach, except they be approved, for their life, manners, and knowledge, by their Superiours: and in the Churches of their Order, they ſhall demand the benediction of the Biſhop before the Sermon begin: but in other Churches they ſhall not preach without the Biſhops licence, which ſhal be given them *gratis*. If the Preacher ſow errours or ſcandals, the Biſhop ſhall prohibite him; if hereſies, he ſhall proceed againſt him according to law and cuſtome: and if the Preacher be a priviledged perſon, he ſhall do it as Delegate; yet taking care that the Preachers be not moleſted by falſe imputations, and calumnies, and have no cauſe to complaine of them. That they permit not that either Regulars who live out of Cloyſters, or ſecular Prieſts, except they be knowne and allowed by them, to preach untill an account be given

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thereof to the Pope. That the Pardoners ſhall not preach, nor cauſe any to preach, and in caſe they do, they ſhall be compelled to obey by the Biſhop, notwithſtanding the priviledges. In fine, the 29. of July, was aſſigned for the next Seſſion.

The 29. of July is appointed for the next Seſſion.

The Decrees being pronounced by the Biſhop that ſaid Maſſe, the Secretary of the Councell read the letters of the French King, in which he deputed for his Ambaſſadour in the Councel *Peter Daneſius*, who made a long and eloquent Oration to the Fathers; ſaying in ſubſtance, That the Kingdome of *France* ſince the firſt moſt Chriſtian King *Clodoveus*, hath alwayes preſerved Chriſtian Religion moſt ſincere. That S. *Gregory* the firſt gave the title of Catholike to *Childebert*, in token of his incorrupt Religion. That the Kings have never ſuffered any ſect in any part of *France*, nor any but Catholikes; yea, have procured the converſion of ſtrangers, Idolaters, and Hereticks, and have conſtrained them with pious armes to profeſſe the true and ſound Religion. Hee ſhewed how *Childebert* compelled the Viſigothes, who were Arrians, to joyne themſelves with the Catholike Church: and how *Charles* the Great made warre thirty yeeres with the Saxons, to reduce them to Chriſtian Religion. Then he declared the favors done to the Church of *Rome*. He recounted the enterpriſes of *Pipin* and *Charles* the Great againſt the Lumbards; and how, in a Synod of Biſhops, it was granted by *Adrian* to *Charles*, to create the Pope, and to approve the Biſhops of his Dominion, and inveſt them after they had received the oath of fidelity. Hee added, that though his ſon *Ludovicus Pius*, ſurrendred that authority to create the Pope, yet he reſerved that Legats ſhould be ſent unto him, to preſerve amitie, which hath beene ever maintained with mutuall offices. For which confidence, the Popes, in times of difficulty, either chaſed out of their Sea, or fearing ſedition, have retired themſelves into that Kingdome. That it cannot be told how many dangers the French men have run, and how much money and blood they have ſpent, to enlarge the liſts of the Chriſtian Empire, or to recover that which hath been uſurped by the Barbarians, or to reſtore the Popes, or to deliver them from danger. Hee added, that King *Francis* deſcending from theſe, in the beginning of his reigne, after the victory atchieved in *Lumbardy*, did, with the ſame piety, go to *Bolonia*, to meet *Leo* the tenth, to confirme a peace with him; which hath continued with *Adrian*, *Clement*, and *Paul*: and in theſe 26. yeeres the points of faith being brought into great ambiguities in divers regions, he hath taken moſt exact care, that nothing ſhould be innovated in the common Eccleſiaſticall uſe, but all reſerved to the publike cenſures of the Church. And though hee bee of a quiet, pleaſing, and not bloody diſpoſition, yet he hath uſed ſeveritie, and made grievous Edicts; and hath brought to paſſe, by the diligence and vigilancie of his Judges, that in ſo great a tempeſt, which hath ſubverted many Cities, and whole Nations, that moſt noble Kingdome ſhould not be ſhaken, in which the ancient doctrine, rites, ceremonies, and manners, do remaine: ſo that the Councell might ordaine what they thought to bee true and fit for the Chriſtian Common-wealth. He ſaid further, that the King knew how profitable it was to Chriſtendome to have the Pope for *Head*, and that being tempted and invited, with moſt gainefull profers, to follow the example of another,

Peter Daneſius is Ambaſſadour for the French King, and maketh an Oration in the Seſſion,

another, would not forſake his opinion, and therby hath loſt his neighbours love, with ſome diſadvantage. That underſtanding the Convocation of the Councell, he preſently ſent ſome of his Biſhops, and when he ſaw it went on in earneſt, and that the authority thereof was eſtabliſhed by many Seſſions, he hath ſent him for his Ambaſſadour, to aſſiſt them, and to procure, that at the laſt, they would conſtitute and propoſe the doctrine which ought every where to be profeſſed by all Chriſtians, and rectifie the Eccleſiaſticall diſcipline, by the ſquare of the Canons; promiſing that the moſt Chriſtian King will cauſe all to be obſerved in his Kingdome, and protect the Decrees of the Councell. Then he added, that, the merits of the French King being ſo great, his priviledges, granted by the ancient Fathers and Popes, ought to be preſerved, which *Ludovicus Pius*, and all the Kings of *France* ſince have poſſeſſed: and the rights, priviledges, and immunities confirmed to the Churches of *France*, of which he is defender; Which if the Councell will do, the French-men will be thankfull, and the Fathers will not repent them of their deed. 1546 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1.

Hercules Severollo, Proctour of the Councell briefly anſwered, in the name of the Synod, thanking the King, ſhewing that the Ambaſſadours preſence was moſt acceptable, promiſing all diligence in the eſtabliſhing of faith and reformation of manners, offering all favour to the Kingdome and Church of *France*. And is anſwered by *Hercules Severollo*.

But the Decrees of the Seſſion being printed, and gone into *Germany*, afforded matter of diſcourſe. It was ſaid that the *Pelagian* impiety was ſuperfluouſly handled, being by ſo many Councels, and the common conſent of the Church, more then a thouſand yeeres ſince, condemned, that it had beene tolerable if the ancient doctrine had beene confirmed; that in conformitie unto it, they had well propoſed a true univerſall propoſition, by ſaying that the ſin of *Adam* did paſſe into all his poſterity, but after had deſtroyed it, by an exception; that it helped them not, that the exception was not aſſertive, but ambiguous: for as one particular maketh falſe the contradictorie univerſall, ſo one ambiguous particular, maketh the univerſall uncertaine. And who ſeeth not that ſo long as this exception remaineth, though with ambiguity, every one may conclude, that it is not certaine that ſinne is paſſed into all the poſterity, becauſe it is not certaine whether it be paſſed into the Virgin: and the rather, becauſe the reaſon which perſwadeth that exception, may perſwade many more. That *Bernard* concluded well, that the ſame reaſon which induced to celebrate the *Conception* of the *Virgin*, will conclude the like for her father and mother, Grand-fathers, and great Grand-fathers, and all her Genealogie ſince *Adam*. But when they came to *Abraham* they ſhould go no further; becauſe there is great reaſon to exempt from originall ſinne none but him. For unto him the promiſe of the Redeemer was made; CHRIST is ever called the ſeed of *Abraham*, and *Abraham* the Father of CHRIST, and of all that beleeve, a patterne of the faithfull. Theſe be greater dignities then to beare CHRIST in the belly; according to that divine anſwer, that the Virgin was more bleſſed in having heard the word of GOD, then in having borne CHRIST, and given him ſuck. And he that will not for preheminencie except *Abraham*, but onely eſteeme for ſound the ancient The cenſure of the Decrees in *Germany*.

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ancient reaſon, that Christ is without ſinne, becauſe he was borne of the holy Ghoſt, without the ſeed of man, will ſay it is better to follow the counſell of the w[illegible]man, and containe ones ſelfe within the bounds ſet downe by the Fathers. They added, that the world was much bound to the Councell, for being contented to ſay that it confeſſeth, and thinketh that concupiſcence remaineth in the baptized; or elſe men would be compelled to deny to feele that which they do. In the Decree of reformation, it was expected that order ſhould have been taken with the ſchoole-men and Canoniſts, with theſe for giving divine proprieties to the Pope, even to call him God, attributing unto him infallibilitie, and making the ſame tribunall of both, ſaying alſo, that he is more mercifull then Christ: with the ſchoole-men, who leaving the Scripture, or making it all doubtfull, have made *Ariſtotles* Philoſophy the foundation of Theologie, even making a queſtion whether there be a God, and diſputing of it on both ſides. It ſeemed ſtrange that it was unknowne untill then, that to preach was the office of Biſhops; that the abuſe of preaching vanities, or any thing but Christ was not removed; that proviſion was made againſt the open merchandizing to Preachers under the name of almes. Newes being come of theſe Decrees to the Emperours Court, it was taken in ill part that light matters, not required by *Germany*, were handled, and that in matter of faith the diſputes were awaked by the Decree. For the controverſie of originall ſinne, being almoſt agreed in the Colloquies, from the Councell, from whence compoſition was expected, a Decree did proceed againſt the things accorded, and it was written in the Emperours name, to his Miniſters in *Trent*, that they ſhould promote the reformation, and endeavour that the controverſie of faith ſhould be deferred untill the Proteſtants came, whom the Emperour was perſwaded he could bring thither; or, at leaſt, untill the Prelats of *Germany* did arrive, who would put themſelves into the journey, ſo ſoone as the Diet was ended. But they talked but a little while of theſe affaires of the Councell becauſe other accidents happened, which drew all mens eyes and minds unto them.

The Decrees are diſliked in the Emperors Court.

The Cardinal of *Trent* concludeth a league the 26 of June, betweene the Pope and the Emperour, againſt the Proteſtants.

For in *Rome* the 26. of June, the Cardinall of *Trent* concluded a league betweene the Pope and Emperour, againſt the Proteſtants of *Germany*, the treaty whereof was begun the yeere before in *Wormes* by Cardinall *Farneſe*, as hath beene ſaid, and afterwards continued by other Miniſters. The cauſes alleadged, and the conditions were; becauſe *Germany* had a long time perſevered in hereſie, for remedy whereof the Councell was aſſembled in *Trent*, and already begun, whereunto the Proteſtants refuſing to ſubmit, the Pope and Emperour, for the glory of God, and ſafety of *Germany*, do agree, that the Emperour ſhall take armes againſt thoſe that refuſe it, and reduce them to the obedience of the holy Sea: and for this the Pope ſhall lay in *Venice* an hundred thouſand crownes in truſt, beſide the hundred thouſand laid there all ready, to ſpend in this uſe onely, and ſhall ſend to the war at his owne charges, twelve thouſand Italian foot, and five hundred light horſe, for ſix moneths; ſhall give the Emperour for this yeere, halfe the rents of the Churches of *Spaine*, and power to alienate, of the revenewes of the Monaſteries of thoſe Kingdomes, to the value of five hundred thouſand crownes: that during the ſix moneths, the Emperour ſhall not make an accord

The cauſes and capitulations of this league.

cord with the Proteſtants without the Pope, who alſo ſhall have a certaine portion of whatſoever is gained by the warre; and if the war continue longer, new capitulations, which ſhall ſeeme fit to both parties, ſhall bee treated on, and place ſhall be left for others to enter into the league, bearing part of the charges, and receiving part of the profits. There was one capitulation apart, which was kept ſecret, concerning the French King, that if any Chriſtian Prince, during the warre, did move armes againſt the Emperour, the Pope ſhould be bound to perſecute him with ſpirituall and temporall forces. 1546 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1.

A few dayes after the Pope wrote to the Suiſſes, inviting them to aſſiſt him; firſt ſhewing in ample termes his benevolence towards them, and the griefe hee felt for that ſome of them had eſtranged themſelves from his obedience: and thanking God for thoſe who perſevered, and commending them all, for that, in this difference of Religion, they keep themſelves in peace, whereas in other places divers tumults did ariſe for the ſame cauſe, he added, that, to provide, againſt them, he had ordained the Councell of *Trent*, hoping that no man would refuſe to ſubmit himſelfe: and he was aſſured that thoſe amongſt them, whom untill then perſevered in the Apoſtolicall obedience, will obey the Councell, and the others not contemne it. Hee invited them alſo to come thither, complaining that many in *Germany*, who are called Princes, did proudly diſdaine and deſpiſe the Councell, whoſe authority is rather Divine then humane. This hath compelled him to think of force and Armes. And becauſe it hath happened that the Emperour hath made the ſame reſolution, hee hath beene conſtrained to joyne with him, and aſſiſt him with his owne and the Churches power, to reſtore Religion by warre. That hee was willing to ſignifie his purpoſe and minde unto them, that they may joyne their prayers with him, render the ancient honour to the Church of *Rome*, and aſſiſt him in ſo pious a cauſe. The Pope writeth to the Suiſſes.

But the Emperour made ſhew he undertook the warre, not for Religion, but for matters of State, for that ſome denied him obedience, plotted with ſtrangers againſt him, and refuſed to obey the Lawes, uſurped the poſſeſſions of others, eſpecially the Churches, going about to make Biſhopricks and Abbacies hereditary: and that having proved divers gentle meanes to reduce them, they ever became more inſolent. The Emperor would not have it thought that this warre is made for Religion.

On the other ſide the Proteſtants laboured to make manifeſt to the world, that all proceeded from the inſtigation of the Pope, and of the Councell of *Trent*. They put the Emperour in minde of the capitulations which he ſwore in *Francfurt*, when hee was created Emperour; and they made proteſtation of the injurie. But many of the Proteſtants kept themſelves on his ſide, becauſe they could not beleeve, that hee had any other reſpects then of State. And the Arch-biſhop of *Collen* (of whom wee have ſpoken before) who though hee were ſentenced, and deprived by the Pope, continued in government, and was obeyed by his people, followed the Emperour; who alſo acknowledged him for Electour, and Arch-biſhop, and wrote unto him, that none of his ſubjects might beare armes againſt him: wherein the Arch-biſhop imployed his endeavours ſincerely. And the Proteſtants ſhew the contrary. The Arch-b. of *Collen* ſentenced by the Pope is obeyed by his people, and followeth the Emperour.

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The Electour of *Saxonie*, and the *Landgrave* ſeeing this, they publiſhed a *Manifeſt* the eleventh of July, declaring that the warre was undertaken for Religion, and that the Emperour covered his meaning with a cloak of taking revenge againſt ſome few for rebellion, to diſioyne the confederates, and oppreſſe them by degrees. They alleadged that *Ferdinand* and *Grannell*, and other miniſters of his Majeſty, had ſaid, that the cauſe of this warre was the contempt of the Councell; they called to minde the Popes ſentence againſt the Electour of *Collen*; they added that the Spaniſh Prelats would not have contributed ſo much of their proper revenewes for any other cauſe; they ſhewed that in other things the Emperour could pretend nothing againſt them.

The Electour of *Saxony* and the *Landgrave* of *Haſſia* publiſh a *Manifeſt* againſt the Emperour.

But while the Pope and Emperour prepared againſt the Lutherans ſome thing beſide *Anathematiſmes*, the day after the Seſſion, the eighteenth of June, a Congregation was made, where after the accuſtomed prayers and invocation of the holy Ghoſt, the Secretary read, in the Legats name, a writing, framed by the principall Theologues, in which it was propoſed, that having, by divine inſpiration, condemned the hereſies concerning originall ſinne, the order of the things to be handled did require, that the doctrine of the modernes, in the point of divine grace, which is the medicine of ſinne, ſhould bee examined; and that the rather it was fit to follow the order becauſe it was obſerved by the *Auguſtane* Confeſſion; all which the Councell meaneth to condemne. And the Fathers and Divines were intreated to have recourſe by prayer unto the divine aſſiſtance, and to be aſſiduous, and exact in their ſtudies, becauſe all the errours of *Martin* were reſolved into that point. For having undertaken from the beginning to oppugne the Indulgences, he ſaw he could not obtaine his purpoſe, except hee deſtroyed the works of repentance, in defect whereof Indulgences do ſucceed. And juſtification by faith onely, a thing never heard of before, ſeemed to him a good meanes to effect this; from whence he hath collected, not onely that good works are not neceſſary, but alſo that a diſſolute liberty in obſerving the Law of GOD, and of the Church will ſerve the turne: hath denied efficiencie in the Sacraments, authority of Prieſts, Purgatory, ſacrifice of the Maſſe, and all other remedies for remiſſion of ſinnes. Therefore by a contrary way, he that will eſtabliſh the body of the Catholike doctrine, muſt overthrow this hereſie of juſtice by faith onely, and condemne the blaſphemies of that enemy of good works.

Juſtification is to be handled, in the next place.

When the writing was read, the Emperours Prelats ſaid, that the more principall and important the point propoſed was, it ſhould bee the more maturely, and opportunely handled, that the ſending of the Cardinall *Madruccio* to the Pope ſhewed, that ſome buſineſſe was on foot, the which it was not fit to diſturbe, but in the meane ſpace to handle ſome thing of the reformation. The Papalins did, on the other ſide, inculcate, that it was no honour to interrupt the order begun, to handle together, in every Seſſion, doctrine and reformation, and that after originall ſinne no other matter could be handled. The Legats, having heard all their opinions, concluded that to diſcuſſe the points, and prepare them, was not to define them, but that they could not be determined without preparation before. (Which they ſaid

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ſaid onely to gaine time, and after to put themſelves in order, to execute what ſhould bee reſolved at *Rome*, betweene the Pope and the Cardinall, in the Emperours name. That to digeſt that matter, was not to hinder the reformation, becauſe in that the Divines would bee imployed, and in this the Fathers and Canoniſts. With this reſolution it was concluded, that the Articles to bee diſcuſſed and cenſured, ſhould bee collected out of the books of *Luther*, out of the Colloquies, Apologies, and out of the writings of the Lutherans and Fathers. And three Fathers, and as many Divines were deputed to ſet downe what ſhould bee diſcuſſed, and to frame the Articles.

The diſcourſe of the Card. *Monte* concerning reſidencie.

The next Congregation was held to order the matter of Reformation; where the Cardinal of *Monte* ſaid, that the world hath complained long ſince of the abſence of Prelats and Paſtours, daily demanding reſidence: that the abſence of Prelats and other Curats from their Churches, is the cauſe of all the miſchiefes of the Church. For the Church may bee compared to a ſhip, the ſinking whereof is aſcribed to the abſent Pilot, that ſhould govern it, if he were preſent. He ſhewed to them, that hereſies, ignorance, and diſſolution do reigne in the people; and bad manners and vices in the Clergie, becauſe the Paſtours being abſent from the flock, no man hath care to inſtruct thoſe, or correct theſe. By the Prelats abſence it is come to paſſe, that ignorant and unlearned Miniſters have beene promoted, and perſons aſſumed to biſhopricks, that were more fit for any other charge; for in regard they need not execute their duty in perſon, no fitneſſe is neceſſary. So he concluded, that to eſtabliſh the point of reſidencie, was a generall remedy for all the maladies of the Church; which alſo hath ſometimes beene uſed by Councels and Popes, but either for that the tranſgreſſions were then but few or for ſome other cauſe, it was not applied with ſuch ſtrong and ſtrait bonds, as is neceſſary now that the diſeaſe is come to the height: that is with a more ſevere commandement, with more grievous and fearfull puniſhments, and by meanes more eaſie to be executed.

The Biſhop of *Veſone* ſpeaketh in favour of non-reſidencie.

This was approved by the firſt voyces of the Prelats. But when *Jacomo Corteſi*, a Florentine, Biſhop of *Veſone*, was to ſpeak, commending what had beene ſaid by others, hee added, that as hee beleeved that the preſence of the Prelats and Curats in times paſt, was the cauſe of maintaining purity of faith in the people, and diſcipline in the Clergie, ſo hee could cleerely ſhew, that their abſence in theſe latter times, hath not beene the cauſe of the contrary ſubverſion, and that the cuſtome of not reſiding hath beene brought in, becauſe reſidence hath beene wholly unprofitable. For the Biſhops could not then preſerve ſound doctrine amongſt the people, when the Friars and Pardoners had authority to preach againſt their wils. It is well knowne that the innovation in *Germany*, ſprang from the Sermons of Friar *John Techel*, and of Friar *Martin Luther*; among the Suiſſes from the Sermons of Friar *Samſon* of *Milan*. And the reſiding Biſhop was able to do nothing, but fight with diſadvantage, againſt theſe, who were armed with priviledges. The Biſhop is not able to make the Clergie live honeſtly, for that, beſides the generall exemption of all the Regulars, every Chapter hath one, and there bee few particular Prieſts that want it. The Biſhop cannot provide that fit men

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bee promoted to that charge, for the licences to promote, and the faculties which the titular Biſhops enjoy, who ſuffer him not to uſe ſo much as the miniſtery of the *Pontificals*. And it may be ſaid in one word, that the Biſhops do not reſide, becauſe they have nothing to do, or rather that they may not make greater inconveniences to ariſe, which would happen by their concurrence, and contention with priviledged men. He concluded, that as he thought it fit to reſtore reſidencie, ſo they ought to treat how to reſtore the Epiſcopall authority. The Biſhops that ſpake after this Prelat followed his opinion, that it was neceſſary to command reſidencie, and to remove the exemptions which do hinder it. And the Legats were enforced to conſent, that both ſhould be conſidered of, and that every one ſpeak his opinion of them, and that ſome Fathers ſhould bee deputed to frame the Decree, that it might be examined.

The Deputies for collecting the Articles diſſent about the manner of proceeding.

The deputies for collecting the Articles of juſtification, having received the extracts of the propoſitions noted by every one to be cenſured, were not all of one opinion. One part deſired that foure or ſix fundamentall Articles of the new doctrine might be choſen, and condemned, as was done in the matter of originall ſinne; alleadging that it was fit to follow the ſtile begun, and the example of the ancient Councels, which, having declared the principall Article, condemned the hereſie, never deſcending to particular propoſitions, but condemning the books of the heretiques, in that univerſall they comprehended all the pernicious doctrine; and ſo the honour of the Councell required. But the other part aimed to put under cenſure all the propoſitions, which might receive a bad conſtruction, that thoſe might be condemned, which in reaſon did deſerve it: ſaying, that it was the office of a Paſtour to diſcerne intirely the wholeſome graſſe from the hurtfull, and not to ſuffer the flock to taſte of this. And if the example of ancient Councels ought to bee imitated, they ſhould imitate that of *Epheſus*, which made ſo many, and ſo famous *Anathematiſmes* againſt the doctrine of *Neſtorius*, that they did conteine whatſoever the heretique had ſaid, and the Councels of *Africa*, which deſcend to the condemnation of all the propoſitions of the ſects.

25. Articles. concerning juſtification.

The firſt opinion did undoubtedly propoſe a more eaſie way, and would have pleaſed whoſoever deſired a ſpeedy end of the Councell, and left a chinke open for agreement, which future times might produce. Yet the ſecond was embraced, which ſaid, it was good to examine all the propoſitions of the Lutheran doctrine, to cenſure and condemne that, which, after mature deliberation, ſhould ſeeme neceſſary and convenient. And 25. Articles were framed. 1. Faith without works, is ſufficient to ſalvation, and alone doth juſtifie. 2. Juſtifying faith is a ſure truſt, by which one beleeveth that his ſinnes are remitted for Christ; and thoſe that are juſtified are bound to beleeve certainely that their ſinnes are remitted. 3. By faith onely wee are able to appeare before God, who neither regardeth, nor hath need of our works; faith onely making us pure, and worthy to receive the Euchariſt, beleeving that in it we ſhall receive grace. 4. Thoſe that do honeſt things, without the holy Ghoſt, do ſinne, for that they do them with a wicked heart, and it is ſinne to keep the Commandements of God without

out faith. 5. The best repentance is a new life, and the repentance of the life past is not necessary, neither doth the repentance of actuall sinnes dispose us to receive grace. 6. No disposition is necessary to justification; neither doth faith justifie because it disposeth us, but because it is a meanes or instrument, by which the promise and grace of God is laid hold on, and received. 7. The feare of hell helpeth not in gaining of justice; yea, hurteth, and is sinne, and maketh the sinners worse. 8. Contrition which ariseth from the discussion, calling to minde, and detestation of sinnes, weighing the grievousnesse, multitude, and filthinesse of them, or the losse of eternall happinesse, and gaine of perpetuall damnation, maketh a man an hypocrite and a greater sinner. 9. The feares by which sinners are terrified, either internally by God, or externally by Preachers, are sinnes, untill they are overcome by faith. 10. The doctrine of the dispositions destroyeth that of faith, and taketh consolation from the consciences. 11. Onely faith is necessary, and other things are neither commanded nor forbid, neither is sinne any thing but incredulity. 12. Hee that hath faith is free from the precepts of the Law, and hath no need of workes to bee saved; for faith giveth all abundantly, and alone fulfilleth all the Commandements, and no worke of a faithfull man is so bad as may accuse or condemne him. 13. A man baptized cannot lose salvation by reason of any sinne whatsoever, except hee will not beleeve; and no sinne, but infidelity, separateth us from the grace of God. 14. Faith and workes are contrary, and works cannot bee taught without shipwrack of faith. 15. Externall works of the second Table are hypocrisie. 16. The justified are set free from guilt and punishment, and satisfaction neither in this life nor after death is necessary; and therefore there is no Purgatory, or satisfaction, which is part of Penance. 17. The justified, though they have the grace of God, cannot fulfill the Law, or avoid sinnes, though mortall. 18. Obedience unto the law in the justified is weake, and unpure in it selfe, not acceptable to God, but accepted for the faith of the person reconciled, who beleeveth that the remainders of sinne are forgiven him. 19. The just sinneth in every good work, and no work maketh the sinne veniall. 20. All the works of men, yea, of the most sanctified, are sinne: the works of the just are veniall by the mercie of God, but in the rigor of his judgement are mortall. 21. Though the just ought to doubt that his works bee sinnes, yet hee ought withall to be assured that they are not imputed. 22. Grace and justice are nothing but the will of God, neither have the justified any inherent justice in them, and their sinnes are not abolished, but onely remitted, and not imputed. 23. Our justice is nothing but the imputation of the justice of Christ, and the just have need of a continuall justification, and imputation of the justice of Christ. 24. All the justified are received into equall grace and glorie, and all Christians are equally great with the mother of God, and as much Saints as shee. 25. The workes of the justified deserve not blessednesse, neither can any confidence be put in them, but onely in the mercie of God.

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When the Articles were published, it was not so easie to set downe a course to handle them in the Congregations, as when originall sinne was

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disputed on. For in that matter they found the Articles already handled by the Schoole-men; but the opinion of *Luther* concerning justifying faith, that it is a confidence and certaine perswasion of the promise of God, with the consequences that follow, of the distinction betweene the Law and the Gospel, and of the qualitie of works depending on the one, and the other, was never thought of by any Schoole writer, and therefore never confuted or discussed: so that the Divines had work enough, first to understand the meaning of the Lutheran propositions, and their difference from those that are determined in the Schooles, and then the reasons, by which to distinguish them. It is certaine that in the beginning some of them, and the Fathers for the most part, did beleeve that the Protestants, denying Free-will, held opinion, that man, in externall actions, is like a stone, and when they attribute justice to faith onely, without the concurrence of works, thought him just who beleeved onely the Storie of the Gospel, though, in other respects, hee were never so wicked; and other such absurdities, the which, by how much the more they are aliene from common sense, so much the harder they are to confute, as is usuall in all opinions contrarie to manifest appearance, and the generally received perswasion.

The major part of the Divines, who then were ascended to the number of five and fourtie, was very tenacious of the opinions generally received in the Schooles; impatient of contradiction where the Schoole-men agreed, but where they agreed not, they did verie much stand in defence of their owne opinion; and the Dominicans, more then the rest, were wont to vaunt, that, for the space of three hundred yeares, the Church overcame heresies by their paines. Yet there wanted not some wise men, who suspended their judgement untill the reasons were weighed. In this number was *Ambrosius Catarinus* of *Siena*, a Dominican Fryar, after created Bishop of *Minori*, *Andreus de Vega*, a Spaniard and Franciscan, and *Antonius Marinarus*, a Carmelite. The Heremites, because they were of the order which *Martin Luther* quitted, did affect to shew themselves more contrarie to him then all others, and especially *Jerolamus Seripandus* the Generall.

In examining the Articles, the Theologues that began (to facilitate the understanding of the three first) laboured to set down what that faith which justifieth is, and what works it excludeth, distinguishing them into three sorts; preceding grace, whereof the seven following Articles untill ten doe speak, concurrent in the very moment with the infusion of it; and subsequent after grace received, of which the other eleven do speak. That faith justifieth must be presupposed as undoubted, for that it is said and repeated by Saint *Paul*. To resolve what that faith is, and how it maketh a man just, the opinions were different in the very beginning. For the Scripture attributing many vertues to faith, which some knew not how to apply to one onely, they thought the word was equivocall, and did distinguish it into many significations, saying that sometimes it is taken for an obligation to keep promises, in which sense Saint *Paul* said, that the incredulity of the Jewes made not vaine the promise of God: sometimes for the vertue to do miracles, as when it is said, If I shall have so much faith as to remove mountaines: somtimes for the conscience, in which sense it is said, that that work, which is

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not conformable to faith is ſinne : ſometimes for a truſt and confidence in God, that his Majeſtie will keep his promiſes; ſo Saint *James* willeth us to pray in faith, without doubting : laſtly, for a perſwaſion and firme aſſent (though not evident) to the things revealed by God. Others added other ſignifications, ſome to the number of nine, ſome to the number of fifteene. 1546 PAUL 3. CHARLES 5. HENRY 8. FRANCIS 1.

But Fryar *Dominicus Soto*, oppoſing himſelfe againſt all, ſaid, that this is a renting of faith, and a giving of victorie to the *Lutherans*, and that there were but two ſignifications; one, the truth and realitie of him that affirmeth or promiſeth; the other, the aſſent in him that heareth : that the firſt is in God, the ſecond is onely in us : and of this laſt all places of the Scripture, which ſpeak of our faith, are underſtood : but to take faith for a truſt and confidence, is not onely an improper kinde of ſpeaking, but abuſive, never received by Saint *Paul*, that truſt differeth little or nothing from hope; and therefore the opinion of *Luther* ought to be held for an undoubted errour, or rather hereſie, that juſtifying faith is a truſt and certainty in the minde of a Chriſtian, that his ſinnes for CHRIST, are remitted. *Soto* added, and was followed by the major part, that that truſt could not juſtifie, becauſe it was temeritie, and a ſinne : for that no man, without preſumption, could aſſure himſelfe that hee was in grace, but ought alwayes to doubt. For the other part *Catarinus* held, and had many followers, that juſtification proceeded not from that truſt, yet that the juſt might and ought to beleeve by faith, that hee is in grace. *Andreus Vega* ſet a third opinion on foot, that it was neither temerity, nor certaine faith, yet that one might have a conjecturall perſwaſion without ſinne. And this controverſie could not bee quitted, becauſe in it conſiſted the point of the cenſuring of the ſecond Article. Therefore it was firſt lightly diſcuſſed, then (the parties being warmed) it divided, and held long in diſpute all the Councell, for the reaſons and cauſes which ſhall bee declared. But all agreed, that juſtifying faith is an aſſent to whatſoever is revealed by God, or determined by the Church to be beleeved; which, ſometimes being joyned with charity, ſometimes remaining without it, they did diſtinguiſh into two ſorts; one which is found in ſinners, which the Schooles call unformed, ſolitary, idle, or dead; the other, which is onely in the good, working by charity, and therefore called formed, efficacious, and lively. And here another controverſie aroſe. For ſome thought that faith, unto which the Scriptures aſcribe ſalvation, juſtice, and ſanctification, was onely the lively faith, (as alſo the Catholickes of *Germany* held in the Colloquies) and included the knowledge of the things revealed, the preparation of the will, and charitie, in which the fulfilling of the whole Law is contained. And in this ſenſe it cannot bee ſaid, that onely faith juſtifieth, becauſe it is not alone, but formed with charity. Among theſe, *Marinarus* liked not it ſhould bee ſaid, that faith is formed with charity, becauſe that kinde of ſpeech is not uſed by Saint *Paul*, but onely that faith worketh by charity.

Soto maintaineth a ſingular opinion.

The opinions of *Catarinus*, and of *Andreus Vega*.

Others underſtood, that juſtifying faith was faith in generall, not ſaying it was either lively or dead, becauſe they doe both juſtifie after divers manners; either compleatly, as the lively, or as a beginning or foundation,

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as the hiſtoricall faith; and of this Saint *Paul* ſpeaketh when he attributeth juſtice unto it no otherwiſe then as Philoſophie is contained in the alphabet; that is, as in a baſis, which is as it were nothing, the principall remaining that is to ſet the ſtatue upon it. This ſecond opinion was joyntly maintained by the Dominicans and Franciſcans, the other by *Marinarus* and his adherents. But the principall point of the difficulty was not touched; that is, Whether a man is juſt, and then doth juſtly, or, by doing juſtly, becommeth juſt. They all agreed in one opinion, that to ſay onely faith doth juſtifie, was a propoſition of many ſenſes, and all abſurd. For God and the Sacraments do juſtifie as cauſes in their ſeverall kindes: ſo that the propoſition hath that and many other exceptions. The preparation alſo of the ſoule to receive grace is a cauſe in its kinde, ſo that faith cannot exclude that ſort of works. But the Articles concerning works that go before grace, all which *Luther* condemneth for ſinne, the Divines cenſured for hereticall, rather by way of invective then otherwiſe, condemning likewiſe of hereſie the opinion taken in generall, that humane works, without faith, are ſinne: thinking it a cleare caſe, that many actions of men are indifferent, neither good nor evill; and that others there are, which though they be not acceptable to God, yet are morally good, as the honeſt actions of Infidels, and Chriſtians which are ſinners; which to call honeſt, and ſinnes, implieth a contradiction; and the rather, becauſe in this ranke are included the heroicall actions ſo much commended by antiquity.

Catarinus his opinion concerning the value of works.

But *Catarinus* maintained that man, without the ſpeciall help of God, can doe no worke which may truly bee good, though morally, but ſinneth ſtill. Therefore the workes of the Infidels, who are not excited by God to beleeve, and of the faithfull who are ſinners before God ſtirreth them up to converſion, though they ſeeme honeſt to men, even heroicall, yet are truly ſinnes, and hee that commendeth them, doth conſider them in generall, and according to externall appearance; but hee that ſhall examine the circumſtances of every one, ſhall finde they are perverſe: and that for this *Luther* was not to be condemned, notwithſtanding hee ſaid that the Articles ought to bee cenſured, as they ſpeak of workes that follow preventing grace, which are a preparation to juſtification, as an abomination of ſinne, feare of hell, and other terrours of conſcience. For confirmation of his opinion, hee brought the doctrine of Saint *Thomas*, that to do a good worke, the concurrence of all circumſtances is neceſſary, but the want of one onely is ſufficient for an ill. So that howſoever among the works conſidered in generall, ſome are indifferent, yet in the ſingular there is no *medium* betweene having all the circumſtances, and wanting ſome. Therefore every particular action is good or evill, neither is there to bee found any one indifferent. And becauſe amongſt the circumſtances the end is one, all workes referred to a bad end are infected; ſo that the Infidels referring all to a bad end, their actions are ſinnes though they ſeeme heroicall to him that knoweth not their intention. Neither doth it make any difference whether the relation to a bad end be actuall or habituall, becauſe the juſt doth merit, though hee referreth not the worke actually to God, but habitually onely. He ſaid further, alledging Saint *Auſtine*, that it is ſinne not onely to refer the

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action to a bad end, but alſo not to referre it to a good; and becauſe hee defended that, without the ſpeciall preventing aſſiſtance of God, a man cannot referre any thing to God, he concluded, that no good morall worke can bee before. For this he alleadged many places of Saint *Auſtine*, to ſhew that hee was of this opinion. He alleadged alſo places of Saint *Ambroſe*, Saint *Proſper*, S. *Anſelmus*, and of other Fathers. He produced *Gregory* of *Arimini*, the Cardinall of *Rocheſter*, who, in his book againſt *Luther*, was cleerely of the ſame opinion, ſaying, it was better to follow the Fathers, then the Schoolemen, who are divided, and rather to take the Scriptures for a ground, from whence true Theologie is taken, then the ſubtilties of Philoſophie, which the Schooles have uſed: that himſelfe alſo was of that opinion, but having ſtudied the Scriptures and Fathers, had found the truth. He alleadged the paſſage of the Goſpel; *A bad tree cannot beare good fruit*, with the amplification which our Saviour added, ſaying, *Either make the tree good and the fruit good, or the tree evill and the fruit evill.* He uſed alſo other arguments, and eſpecially the place of Saint *Paul*, that nothing can bee cleane to Infidels, becauſe their minde and conſcience is ſpotted. 1546 PAUL 3. CHARLES 5. HENRY 8. FRANCIS 1.

This opinion was very ſharply impugned by *Soto*, proclaiming it hereticall, for inferring that man had not liberty to do well, nor could obtaine his naturall end, which was to deny Free-will with the Lutherans. Hee maintained a man might, by that ſtrength of nature, obſerve every precept of the Law, in regard of the ſubſtance of the work, though not in regard of the end; which was enough to avoid ſinne. Hee ſaid there were three ſorts of humane actions; one, the tranſgreſſion of the Law, which is ſinne; another, the obſervation thereof, having charity for the end, which is meritorious and acceptable to God; the third mixt, when the Law is obeyed for the ſubſtance of the precept; which work is morally good and perfect in its kinde, becauſe it accompliſheth the Law, making every work good according to morality, avoiding, by that meanes, all ſinne. But he moderated this great perfection of our nature, by adding, that it was one thing to take heed of any one particular ſinne, and another to beware of altogether; and ſaid that a man might avoid any one, but not all, by the example of him that had a veſſell with three holes, who could not ſtop them with two hands, but could ſtop which two of them he would, one remaining open of neceſſity. This Doctrine did not ſatisfie ſome of the Fathers: For though it clearely ſhewed that all works are not ſinnes, yet it did not wholly ſalve Free-will, becauſe it will neceſſarily follow, that it is not free in avoiding all ſinne. But *Soto* giving the title of good works unto theſe, knew not how to determine whether they were preparatorie to juſtification. It ſeemed to him they were, in regard of the goodneſſe of them: and it ſeemed they were not, conſidering the doctrine of Saint *Auſtin*, approved by Saint *Thomas*, and other good Divines, that the firſt beginning of ſalvation proceeds from the vocation of God. Hee avoided theſe ſtraits by a diſtinction, that they were preparatorie a farre off, but not nearely, as though giving a remote preparation to the force of nature, the firſt beginning was not taken away from the grace of God.

Soto proclaimeth the opinion of *Catarinus* to bee hereticall.

A new diſtinction invented by *Soto*.

The Franciſcans thought that not onely this kinde of works were good

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and did truly and properly prepare to justification, but also that they were truly meritorious in the sight of God. Therefore *Scotus*, the authour of their doctrine, invented a kinde of merit, which he attributed to works done by the force of nature onely, saying that in congruitie they deserve grace by a certaine law, and infallibly, and that a man, by naturall power onely, may feele a sorrow for sinne, which is a disposition, and merit of *Congruity*, to abolish it; approving a common saying of his times, that God never faileth him that doth as much as hee is able. And some of that Order, passing those bounds, did adde, that if God giveth not grace to him that doth what he can, he would be unjust, unrighteous, partiall, and an accepter of persons. They clamoured with much stomack and indignation, that it would be a great absurdity, if God made no difference betweene one that is naturally honest, and another drowned in all vices, and there would be no reason why hee should rather give grace to one then another. They also alledged, that Saint *Thomas* was of this opinion, and that otherwise a man is put into desperation, and made negligent to do well, and wicked men may excuse their bad workes, and attribute them to the want of the assistance of God.

The doctrine of the Franciscans concerning meritorious work.

But the Dominicans did confesse that Saint *Thomas* was of this opinion when he was young, and after did retract it when he was old. They did reprehend it, because in the Councell of *Orange*, it is determined that no kinde of merit goeth before grace, and that the beginning should be attributed to God; saying, that the Lutherans having made such exclamations for this congruous merit, it ought wholly to bee abolished, as indeed it was never heard of in the Church in ancient times, in so many controversies with the Pelagians. That the holy Scripture doth attribute our conversion to God, and that it is not fit to leave the forme of speech which it useth.

Is contradicted by the Dominicans.

For the preparations there was no difference in the substance of the doctrine. All held that after God doth stirre us up, feare and other considerations of the malignity which is in sinne do arise. They said that the opinon, that these things are bad, was hereticall, because God exhorteth the sinner, yea, moveth him to these considerations, and it must not bee said that God moveth to sinne; and which is more, it is the office of a Preacher to terrifie a sinner by these meanes: and because by the same meanes, all passe from the state of sinne to that of Grace, it seemed very strange that one could not passe from sinne to justice, without the meanes of another sinne. But for all this, they could not free themselves from the difficultie on the contrary part; because all good works may stand with grace, but that feare and other preparations cannot, and therefore are sinnes. Friar *Antonius Marinarus* thought the difference was verball, and said, that as passing from a great cold to a heat, one must passe by a lesse degree of cold, which is neither a heat nor a new cold but the same diminished, so one goeth from sinne to justice by terrors and attritions, which are neither good works, not new sinnes, but old sinnes extenuated. But he was compelled to retract, because all were against him. Of the workes done in grace there was no difficulty amongst them: For they all said they were perfect, and merited salvation; and that *Luthers* opinion, that they are all sinnes, is wicked and sacrilegious: and holding it to be

bee blaſphemie to ſay, that the bleſſed Virgin hath committed the leaſt veniall ſinne, they could not endure to heare that ſhee ſinned in every action, and ſaid, that the earth and hell would open themſelves againſt ſo great blaſphemies. 1546 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1

For cenſure of the 22. and 23. Articles, in the point of the eſſence of Divine grace, it was a common conſideration, that the word *Grace*, in the firſt ſignification, was underſtood for a benevolence or good-will, which, when it is in him that hath power, neceſſarily bringing forth a good effect, that is, a gift or benefit, which is alſo called Grace. That the Proteſtants thought ſo meanly of the Majeſtie of GOD, that it could do no more then make us partakers of his good will: but his omnipotencie required that we ſhould have the benefit thereof in effect. And becauſe ſome man might ſay, that the divine will onely, which is GOD himſelfe, can have no greater thing to beſtow, and that to have given us his Sonne was the greateſt benefit, and that Saint *John*, to ſhew the great love of GOD towards the world, alleadged nothing elſe but that he had given us his Sonne, they ſaid that theſe benefits are common to all, and that it was fit he ſhould beſtow a particular preſent to every one. Therefore the Divines have added an habituall grace, given to every juſt man in particular, which is a ſpirituall qualitie created by GOD, infuſed into the ſoule, whereby it is made gratefull and acceptable to the divine Majeſtie, wherof though the Fathers ſpeak not in expreſſe termes, nor the Scripture, yet it is clearely deduced from the word *Juſtifie*; which being effective, doth neceſſarily ſignifie to make juſt, by the impreſsion of reall Juſtice: which reality, becauſe it is no ſubſtance, can be nothing elſe but a qualitie and habite. All agreed to condemne *Luther* concerning works after grace.

And upon this occaſion there was much ſpoken againſt the Lutherans, who will not have the verb *Juſtificare* to be effective, but judiciall and declarative, grounding themſelves upon the Hebrew word צדק *Tſadak*, and the Greek δικαιόω, which ſignifie to be pronounced juſt; and upon many places of the New and Old Teſtament, and that it is uſed in that ſignification in the Latine tranſlation, alleadging for it places to the number of fifteene. But *Soto* excluded all thoſe of Saint *Paul*, which ſpake of our juſtification, which he ſaid muſt needs be underſtood in an effective ſenſe: whereupon aroſe a great diſpute betweene him and *Marinarus*, who ſaid, one ſhould not ground himſelfe upon ſo light a matter. But he ſaid the Article of habituall Grace could not be doubted of, as being decided in the Councell of *Vienna*, and by the common opinion of all Theologues: that this was to make ſure foundations, which cannot be deſtroyed, and not to ſay that Saint *Paul* to the *Romanes*, when he ſaith that GOD juſtifieth, doth not meane declaratorily: for it is manifeſtly againſt the Text, which maketh a judiciall proceſſe, and ſaith, that none can accuſe or condemne GODS Elect, becauſe GOD doth juſtifie them: where the judiciall words, to *accuſe* and *condemne*, do ſhew that the word *Juſtifie*, is judiciall alſo.

But the Franciſcans approved habituall grace, becauſe charity it ſelfe is an habit. And here was a ſharp diſputation betweene them and the Dominicans, whether the habit of Grace be the ſame with the habit of Charity, as *Scotus* would, or diſtinct, as Saint *Thomas*, and neither party yeelding, they debated

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debated whether, beſides this Grace or inherent Juſtice, the Juſtice of CHRIST alſo bee imputed to the juſtified, as if it were his owne; which they did in regard of the opinion of *Albertus Pighius*, who confeſſing the inherent, added, that we muſt not truſt in that, but in the imputed juſtice of CHRIST, as if it were ours. None doubted that CHRIST had merited for us; but ſome blamed the word to *Impute*, and would have it aboliſhed, becauſe it was not to bee found in Fathers; who contented themſelves with the words, Communication, participation, diffuſion, derivation, application, computation and conjunction. Others ſaid, that, agreeing upon the thing, they ought not to differ upon the word, becauſe it ſignifieth preciſely the ſame that the others do, which though not by all and often, yet ſometimes was uſed. For this the 109. Epiſtle of Saint *Bernard* was brought; and *Vega* defended, that, though the word be not found in the Scriptures, yet it is a moſt proper Latine word, to ſay that the juſtice of CHRIST is imputed to mankind for ſatisfaction and merit, and that it is continually imputed to all that bee juſtified, and do ſatisfie for their owne ſinnes: but hee would not have it ſaid, it was imputed as if it were ours. Whereunto it being oppoſed that Saint *Thomas* uſeth to ſay, that the paſſion of CHRIST is communicated to the baptized for remiſſion, as if himſelfe had ſuſtained it and died, there was a long and great contention upon his words. The *Heremite* Generall held an opinion, that in the Sacrament of Baptiſme, the juſtice of CHRIST is imputed, becauſe it is communicated wholly and intirely; but not in Penance, when our ſatisfactions are alſo required. But *Soto* ſaid, the word *Imputation*, was moſt popular and plauſible, becauſe it ſignified, at the firſt ſight, that all ſhould be acknowledged from CHRIST; but yet that he did ever ſuſpect it, in regard of the bad conſequences which the Lutherans draw from thence; That is, that this onely is ſufficient, without inherent righteouſneſſe: that the Sacraments do not conferre grace: That the puniſhment is aboliſhed together with the guilt: That there remaineth no place for ſatisfaction: That all are equall in grace, juſtice, and glorie: whence they deduce alſo that abominable blaſphemie, That every juſt man is equall to the bleſſed Virgin. This admonition begat ſuch a ſuſpicion in the hearers, that there appeared a manifeſt inclination to condemne the word for hereticall, though reaſons were effectually replyed to the contrary. The contentions betweene the Theologues, did certainly ariſe from the immoderate affection they bare to their owne ſect, and were cheriſhed by divers, for divers ends. By the imperialiſts, to conſtraine them to abandon juſtification. By the Courtiers, to finde a way to ſeparate the Councell, and ſo to avoid the imminent reformation. And by others, to free themſelves from incommodities, which they feared would be greater, by reaſon of the dearth, and of the warre which approached; and the rather, becauſe they had little hope to do good.

Contentions in the Councell are cheriſhed by divers for divers ends.

A Jubily is publiſhed in *Rome*, in which Religion is declared to be the cauſe of the warre againſt the Proteſtants.

But while they thus diſpute in *Trent*, the Pope publiſhed a Jubily in *Rome*, the fifteenth of July: by which he eaſed the Princes of *Germany* of the paines to find out, or perſwade others, the true cauſe of the warre. For having largely declared, in that Bull, his paſtorall affection and care for the ſalvation of men, relating the perdition of ſoules by the increaſe of hereſies, and that to

root

root them out, the Councell was already begun, he bewailed, above measure, the obſtinacie of the hereticks, who contemne and refuſe to obey it, and to ſubmit themſelves to the determination thereof. For remedy whereof he had made a league with the Emperour, to reduce them to the obedience of the Church by force of Armes. Hee therefore wiſhed them all to have recourſe unto GOD by prayers, faſtings, confeſſions, and communions, that GOD of his Divine Majeſtie, would give a good iſſue to this warre, undertaken for his glorie, exaltation of the Church, and extirpation of hereſies. 1546

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The Emperour, in conformity to his purpoſe of concealing the cauſe of Religion, the twentieth of the ſame moneth, publiſhed a *Bando* againſt the Saxon and Landgrave, laying to their charge that they had alwayes hindered his deſignes, had never obeyed him, made conſpiracies againſt him, moved warre againſt other Princes of the Empire, ſeaſed upon Biſhopricks and other governments, diſpoſſeſſed many of their goods, and covered all theſe things with the glorious and ſweet name of Religion, peace, and liberty, but having indeed rather any other end. Therefore hee doth preſcribe them as perfidious, rebels, ſeditious, guilty of high treaſon, and enemies of the publike peace, and commandeth that none do aſſiſt them, or bee linked with them, abſolveth the nobility and people of their Dominions from their Oath of fidelity, including all thoſe in the *Bando* who perſevere to obey them.

The Emperours *Bando* againſt the Saxon and Landgrave.

The cauſe of the warre alledged by the Emperour grieved the Pope, and that of the Pope grieved the Emperour, becauſe both their ends were hindred. For though the Pope pretended that hee had publiſhed this *Manifeſt*, that all the people of Chriſtendome might implore the aid of God to favour the Emperours armes, yet both he and every man of judgement knew very well that it was to give notice to *Germany* and the whole world, that the warre was for Religion; which the ſimpler ſort alſo did know a little after: For his letter to the *Suiſſes* before mentioned, and a copie of the Capitulations made with *Madruccio*, were publiſhed. The Pope croſſed *Cæſar* in this, becauſe he deſired the ſuppreſſion of the Proteſtants, without the exaltation of the Emperour, and therefore to balance them well, he meant to conſtrain all the profeſſors of the new Religion to unite againſt him. And it is certain that the Popes action hindered the Emperours deſignes. For deſiring the *Suiſſes* to continue their league with the houſe of *Auſtria* and *Burgundy*, and not aſſiſt the rebels, the Evangelikes anſwered, that they would firſt be ſure that the warre was not for Religion. So it happened, that the warre being but newly begun, diſcords were already ſowed betweene the Princes, lately confederated.

The Pope and the Emperour are offended one with another for alleadging divers cauſes of the warre.

The Potentates of *Italy* were amazed, and ſaw the Popes uſuall wiſdome was wanting to keepe warre farre from *Italy*, and the Princes beyond the mountaines in an equall balance of ſtrength, who in the ſame inſtant had failed in both. For if the Emperour had ſubdued *Germany*, *Italy* had remained at his diſcretion, and *France* not beene able to reſiſt. If the Emperor had been overcome, the Dutchmen would have paſſed into *Italy*. And perhaps theſe reaſons running in the Popes minde, perſwaded him when hee had

The Princes of *Italy* do cenſure the Pope for making this warre.

1546 had concluded the league, to ſecure himſelfe againſt the Emperour with the counterpoiſe of *Germany*.

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But *Cæſar*, beſides his diſtaſte for the *Jubelie*, ſuſpected alſo that the Pope, having obtained his end of making warre againſt the Proteſtants, would diſſolve the Councell, under pretence to deferre it untill the warre was ended, or for feare of the armes which the Proteſtants prepared in *Suevia*. Hee knew this was the aime of all the Court, negotiated with him more then five and twentie yeares, and that the Biſhops aſſembled in *Trent*, even his owne, had the ſame minde, for the incommodities which they ſuffered there. Hee feared the *Lutherans* would ſay, if the Councell were ſeparated, that it was aſſembled onely to finde a pretence of making warre againſt them; and that the Catholikes of *Germany* would thinke, that the intereſts of Religion and reformation being laid aſide, he would endevour onely to ſubdue them. Hee doubted alſo, that going on to handle the controverſed points, as already they had originall ſinne, and meant to handle (as he was advertiſed) juſtification, hee might bee hindered in ſome compoſition, which otherwiſe he might have made, giving hope to the Cities that their reaſons ſhould be heard, to ſeparate them from the Princes of the league. He ſaw clearely it was neceſſarie the Councell ſhould remaine open, and yet meddle only with reformation: but that it was impoſſible to obtain it without the Pope conſented with him. Therefore he ſent to certifie him in diligence, that hee would imploy all his ſpirit and forces to make *Trent* ſecure, though there went a fame of the Proteſtant armies in *Suevia*. That it was neceſſarie to maintaine the Councell, that they might anſwer the backbitings and calumnies, which would be ſpred againſt them both, if it were diſſolved. Hee earneſtly prayed him to keep the Councell open, and not to handle the controverſies, becauſe his purpoſe was to compell the Proteſtants, his adherents, by authoritie, and his enemies by force of armes, to be preſent, and ſubmit themſelves. But in the meane time he deſired him not to hinder his excellent deſigne, ſhutting the doore upon them, with contrary decrees, made in their abſence. That this could not continue long, and that hee hoped to ſee the end of this ſummer. Therefore, that hee ſhould be contented that now reformation onely ſhould bee treated of, or if Religion were, they ſhould touch matters of ſmall weight onely, that when they were defined, they might not offend the Proteſtants. Hee ordained alſo, that his Ambaſſadour in *Trent* ſhould make the ſame inſtance to the Legats. And being informed that *Santa Croce* was inclined to any kinde of diſſolution of the Councell, he charged his Ambaſſadour to give him a nip, and tell him, that if in this he did croſſe his Majeſtie, hee would cauſe him to be throwne into the river *Adice*. This was knowne to all, and written by the Hiſtorians of this time.

The Emperor doth earneſtly intreat the Pope, that only reformation may bee handled in the Councell, and that it might not be diſſolved.

He threatneth the Legat *Santa Croce*.

The Pope, though hee would faine have beene free from the Councell, which the Court deſired alſo, yet he thought it neceſſary to gratifie the Emperour, in keeping it open, and not handling controverſies. But to treat onely of Reformation neither pleaſed him nor the Courtiers. Therefore he wrote to the Legats that they ſhould not ſuffer the aſſembly to diſſolve, nor make a Seſſion untill himſelfe had given order, but ſhould entertaine the

The Pope and Court did not like that reformation onely ſhould bee handled.

Prelats

Prelats, and Theologues with Congregations, and ſuch buſineſſes and exerciſes, as ſeemed to them beſt. The 25. day Jubelie was ſolemnely publiſhed in *Trent*, in preſence of the Legats, and all the Councell. And that they might apply themſelves to faſtings, and other works of Penance, according to the preſcript of the *Bul*, the Seſſion was deferred untill it ſhould bee intimated, and the Congregations intermitted for 15. dayes. 1546

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The Jubelie is publiſhed in *Trent*.

At the ſame time the Proteſtant Armie came neere to *Tiroll*, to ſtop the paſſages of thoſe that came out of *Italy*, to the Emperours ſervice, and *Chiuſa* was taken by *Sebaſtinus Schertellinus*: For which cauſe the Countrey was all in armes, to hinder their progreſſe, and *Franceſco Caſtelalto*, who guarded the Councell, went in perſon to *Iſpruc*, and fortified that Citie, to prevent the poſſeſſion of the paſſages, and planted himſelfe ſeven miles about it. This made men doubt, that that Countrey would be the ſeat of the warre, and that the Councell would wholly be diſturbed. The Prelats, who deſired a pretence to retire, amplified the dangers and incommodities; whereunto the Legats not oppoſing in the beginning, cauſed a ſuſpition, that the Pope had no minde to continue the Councell. Some of the moſt timorous Prelats, who had no deſire to remaine in *Trent*, departed; and ſo would more have done, if the Cardinall of *Trent*, lately returned from *Rome*, had not aſſured them, that the Pope would have been much diſpleaſed therewith, and the timorous had not beene comforted by him, and the Emperours Ambaſſadour, ſecuring them that the great number which came out of *Italy*, would compell the Proteſtants to be gone; and alſo if the Popes letters to the Legats, which came in the middeſt of theſe ſtirres, had not joyned the Popes authority and theirs, to the intreaties of others.

The Proteſtant armie maketh the Prelats in *Trent* afraid.

But though the Proteſtants enterpriſe did not ſucceed, and *Tiroll* remained ſecure, ſo that there was no doubt on that ſide, yet there was confuſion in *Trent*, by reaſon of the great number of ſouldiers, which continnally paſſed out of *Italy* into *Germany*, who, according to the capitulations of the league, were in all to the number of twelve thouſand foot, and five hundred horſe, beſide two hundred from the Duke of *Tuſcany*, and one hundred from the Duke of *Ferrara*. The moſt famous Captaines of *Italy* came with them, under the conduct of the Generall *Octavius Farneſe*, and his brother *Alexander Farneſe*, Cardinall and Legat, both grandchildren to the Pope, by his ſon; and ſix thouſand Spaniards, the Emperours owne ſouldiers, taken out of *Naples* and *Lumbardy*. And ſo long as the ſouldiers paſſed, which was untill the middle of Auguſt, though the publike actions of the Councell were not wholly omitted, yet the meetings were not ſo many, nor ſo frequented. But that the Biſhops and Divines might have entertainment, the Cardinall *Santa Croce* held an aſſembly of learned men in his houſe, where they treated of the ſame things, but familiarly, and without ceremony.

The Italian troupes paſſe by *Trent*, under the conduct of *Octavius Farneſe*.

The Proteſtants combined with the Emperour, did then publiſh a writing, addreſſed to their ſubjects, full of raylings againſt the Pope, calling him Antichriſt, inſtrument of Satan, imputing unto him that before hee had ſent to kindle a fire in divers places of *Saxonie*, and now was authour and mover of the warre, and had ſent into *Germany* to poyſon the wells, and ſtanding waters, adviſing all to bee diligent in taking and puniſhing thoſe

The Proteſtants combined with the Emperour do raile againſt the Pope.

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thoſe poyſoners. This very few did think to be probable, and was eſteemed a calumnie.

The Popes men being come into the armie, which was in *Landiſuth*, the 15. of Auguſt, the Emperour gave the collar of the golden *Fleece* unto his Sonne in law *Octavius*, which hee had beſtowed on him in the celebration of the aſſemblie of that Order, held upon Saint *Andrewes* day, and he ſaw the muſter of the Popes men, with much approbation and content, to have the flower of the Italian Souldiers. Yet the ends of the Pope and Emperour being divers, they produced occaſions of diſtaſtes. The Cardinall *Farneſe* deſired to carry the croſſe, as Legate, before the armie, and had order from the Pope ſo to do, publiſhing indulgences, as formerly was uſed ſo to be done in *Cruſadoes*, declaring it was the war of the Catholike Church. But he could obtaine neither of theſe from the Emperour, whoſe end was quite contrarie, to entertaine the Lutheran Princes who were with him, and that the Cities might not wax obſtinate againſt him for it. The Cardinall perceiving hee could not tarry in the field in any other qualitie, with the Popes dignitie, and his owne, he remained in *Ratiſbon*, and faining himſelfe to be ſick, expected his Grandfathers anſwer, whom he had adverтiſed of all.

The Emperor giveth the collar of the golden *Fleece* to his ſonne in law *Octavius Farneſe*.

The Emperor will not ſuffer Card. *Farneſe* the Legat to carry the croſſe before the armie.

They now being in a readineſſe on both ſides, though either had a great armie, and forced one another, preſenting alſo the battaile when they ſaw their advantage, and though each of them had many good occaſions to atchieve ſome notable victorie, yet they were not embraced by the Proteſtants, becauſe the Elector and the *Landgrave* had equall authoritie over them: a government which ever ſucceedeth ill in armes: and becauſe the Emperour knowing this, that he might be Conquerour without blood, and not give the enemies occaſion to ſet their affaires in better order, expected that time ſhould put into his hand a certaine victorie, in ſtead of one that was doubtfull, expoſing himſelfe to the hazzard of a battell, whereby nothing of moment or conſequence was done.

The equall authoritie of the *Saxon* and *Landgrave* bringeth great diſadvantage to their armie.

The Legats in *Trent*, now freed from the Souldiers, did regulate the Congregations, according to the firſt ſtile, reducing them to ordinarie dayes, and bethinking themſelves how to drive the time, according to the purpoſe of the Pope. They found no other meanes, but to ſhew that the importance of the matter required an exact diſcuſſion, and to prolong the diſputations of the Divines, giving an entrance to new matters; whereof there could not want occaſion, in regard that by reaſon of connexion, or intemperancie of wit, Doctors do ever eaſily paſſe from one ſubject to another. They reſolved alſo to cheriſh the differences and varietie of opinions; a thing eaſie to bee done, aſwell for the naturall inclination of man to overcome in diſputations, as becauſe in the Schooles, eſpecially of the Fryars, too much obſtinacie in opinion of their owne ſect is very uſuall. *Monte*, who was of an ingenuous diſpoſition, thought it would be hard, and could not promiſe to be conſtant in ſo long a diſſimulation, as he ſaw was neceſſarie. But *Santa Croce*, a man of a melancholy and cloſe nature, offered to take upon him the charge of governing the buſineſſe.

Card. *Monte* cannot diſſemble ſo well as the other Legat *Santa Croce*.

In the Congregation of the twentieth of Auguſt, it ſeeming that as much had beene ſpoken upon the twentie five Articles, as was ſufficient to frame

Fathers are deputed to compoſe the *Articuli*.

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the *Anathematiſmes*, it was propoſed to depute Fathers to compoſe them. And there were named three Biſhops, and three Generals, and *Santa Croce* firſt of all. Who having made a modell of the Canons, and propoſed it to be diſcuſſed in the Congregations following, the ſame diſputations did returne, of the certaintie of Grace, of the morall works of Infidels and ſinners, of the merit of congruitie, of imputation, of the diſtinction of Grace and Charity; and thoſe that were intereſſed in the opinions ſpake more earneſtly, becauſe the Cardinall gave them an edge, by ſhewing that the matters were of importance, and ought to be diſcuſſed well, and that without the reſolution of them, it was impoſsible to make a good determination. The controverſie of the certainty of Grace onely held the diſputants in exerciſe many dayes, and made obſtinate, and divided into two parts not onely the Divines, but the Prelats alſo. Yet the queſtion was not cleered by the diſputation, but more obſcured. 1546 PAUL 3. CHARLES 5. HENRY 8. FRANCIS 1.

Santa Croce cherisheth the diviſion amongſt the Divines.

In the beginning (as hath beene delivered) one part ſaid that certaintie of Grace was preſumption; the other, that one might have it meritoriouſly. The ground of the firſt was, that Saint *Thomas*, Saint *Bonaventure*, and generally the Schoolemen thought ſo, for which cauſe the major part of the Dominicans were of the ſame opinion. Beſides the authoritie of Doctors, they alleadged for reaſons, that God would not that man ſhould be certaine, that he might not be lifted up in pride, and eſteeme of himſelfe, that hee might not preferre himſelfe before others, as he that knoweth himſelfe to be juſt would do, before manifeſt ſinners: and a Chriſtian would ſo become drowſie, careleſſe, and negligent to do good. Therefore they ſaid that incertaintie was profitable, and meritorious beſides, becauſe it is a paſſion of the minde, which doth afflict it, and being ſupported, is turned to merit. They alleadged many places of the Scripture alſo; of *Solomon*, that *a man knoweth not whether he be worthie of hate or love*; of Wiſdome, which commandeth not to be without feare of the ſinne pardoned; of Saint *Peter*, to *work out our ſalvation with feare and trembling*; of Saint *Paul*, who ſaid of himſelfe, *though my conſcience accuſe me not, yet am I not thereby juſtified.* Theſe reaſons and teſtimonies, together with many places of the Fathers, were brought and amplified, eſpecially by *Seripandus*, *Vega*, and *Soto*.

A difference in opinions about certainty of Grace.

The opinion of *Seripandus*, *Vega*, & *Soto*.

But *Catarinus* and *Marinarus* had other places of the ſame Fathers, to the contrary; which ſhewed they had ſpoken accidentally in this particular, as the occaſions made moſt for their purpoſe, ſometimes to comfort the ſcrupulous, ſometimes to repreſſe the audacious. Yet they kept them cloſe to the authoritie of the Scripture. They ſaid that to as many as it is read in the Goſpel that CHRIST hath forgiven ſinnes, to all them hee ſaid, *Beleeve that your ſinnes are forgiven*. And it would bee an abſurditie that CHRIST ſhould give an occaſion of temeritie and pride, or, if the contrary were profitable, or a merit, that hee would deprive all men of it. That the Scripture bindeth us to give God thanks for our juſtification, which cannot bee given except wee know wee have obtained it; for to give them when wee are uncertaine, would be moſt fooliſh and impertinent. That Saint *Paul* doth plainely confirme the certaintie, when he putteth the Corinthians in mind to know that CHRIST *is in them, except they be reprobates*. And when hee

The opinion of *Catarinus* & *Marinarus*.

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ſaith, wee have received from God the Spirit to know what is given us by his Divine Majeſtie; and more cleerely, that *the holy Spirit doth beare witneſſe to our ſpirit, that we are the ſonnes of God*: and it is much to accuſe them of raſhneſſe, who beleeve the holy Ghoſt that ſpeaketh with them. For Saint *Ambroſe* ſaith that the holy Ghoſt doth never ſpeak unto us, but doth make us know that it is he that ſpeaketh. After this he added the words of CHRIST in Saint *John*, that the world cannot receive the holy Ghoſt, becauſe it ſeeth him not, nor knoweth him, but that the Diſciples ſhall know him, becauſe he ſhall dwell in them. *Catarinus* did fortifie himſelfe ſtrongly, by ſaying, that it was the opinion of a man in a dreame, to defend that grace is voluntarily received, when we know not whether we have it or not; as if, to receive a thing willingly, it bee not neceſſarie that the willing receiver ſhould know it is given him, that he doth really receive it, and that, after it is received, he doth poſſeſſe it.

The force of theſe reaſons made them firſt retire a little, who cenſured the opinion of temeritie, and yeeld that there might bee a conjecture, though not an ordinarie certaintie. Yet they acknowledged a certaintie in the Martyrs, in the newly baptized, and in ſome by ſpeciall revelation; and from conjecture they were brought to call it morall faith: and *Vega*, who in the beginning admitted probability onely, overcome by theſe reaſons, and beginning to favour the certaintie, for feare of conforming himſelfe to the Lutheran opinion, ſaid, that there was ſo much certaintie as did exclude all doubt, and could not be deceived, yet that it was not Chriſtian faith, but humane and experimentall. And as hee that is hot, is ſure he is ſo, and ſhould want ſenſe if hee doubted, ſo he that hath grace in him, doth perceive it, and cannot doubt; yet it is by the ſenſe of the minde, not by Divine revelation. But the other defenders of certaintie, conſtrained by the adverſaries to ſpeak plainly, whether they thought a man might have it, or whether hee were bound unto it, or whether it were a Divine or humane faith, they came to ſay, that it being a faith given to the Teſtimonie of the holy Ghoſt, it could not bee ſaid to bee in our libertie, every one being bound to beleeve Divine revelations, and that it muſt needs bee called Divine faith.

And they being preſſed with the objection, that if that faith bee not equall to the Catholike faith, it doth not exclude all doubt; If it bee equall, then the juſt ought as much to beleeve he is juſtified, as the Articles of faith. *Catarinus* did anſwer, that that faith was divine, of equall certainty, excluding all doubt as well as the Catholike, but that it was not the Catholike it ſelfe. Hee affirmed that the Faith which one giveth to Divine revelations, made unto ones ſelfe in particular, was divine, and excluded all doubt but when it is received by the Church, then it is made Univerſall, that is, Catholike, and that this onely concerneth the Articles of faith; which notwithſtanding, in regard of certainty and excluſion of doubt, is not ſuperiour to private faith, but exceedeth it onely in univerſality. So all the Prophets had firſt private faith of the things revealed to them by God, of which, after they were received by the Church, they had a Catholike faith. This opinion ſeemed hard at the firſt hearing, and the adherents of *Catarinus*, who were all the Carmelites,

Carmelites, becauſe *John Bacon*, their Doctour, was of that opinion, and the Biſhops of *Sinigaglia*, *Worceſter*, and *Salpi*, did willingly go ſo farre; but afterwards, the reaſon being weighed and diſcuſſed, it was ſtrange how it was received by a principall part of the Prelats, *Soto* crying out that it was too much in favour of the Lutherans, and others defending that *Luther* ought not to be cenſured if he had ſaid, that after juſtification, that kinde of faith doth follow, but becauſe he ſaith that is the faith which juſtifieth. 1546 PAUL 3. CHARLES 5. HENRY 8. FRANCIS 1.

They anſwered the reaſons of the other part, that the Schoolemen ought not to be regarded, who ground themſelves upon Philoſophicall reaſons; that one cannot judge of divine motions; that the authority of *Salomon* was not to the purpoſe; for, ſaying none knoweth whether hee bee worthie of love or hatred, applying it here, it would conclude, that the moſt wicked ſinner, who perſevereth, cannot know that he is in diſgrace with God; that the ſaying of Wiſdome cannot be applied to this, and the tranſlation doth deceive, becauſe the Greek word ἱλασμὸς doth not ſignifie ſinne pardoned, as the tranſlation is, but expiation or pardon; and the words of the wiſe man are an admonition to the ſinner not to lay ſinne upon ſinne by too much confidence of pardon to come, or paſt; that it was not fit to ground an Article of faith upon an error of an interpreter. Thus did the ſame men, who then had made the vulgar edition authenticall, ſpeak of it; which every one may alſo obſerve out of the books printed by them, who aſſiſted at the Decree of the approbation. They ſaid, that to work with feare and trembling was an Hebrew phraſe, which ſignifieth not ambiguitie, but reverence, becauſe fear and trembling are uſed by ſervants to their maſters, even when they are commended by them, and know they are in favour; that the place of S. *Paul* did favour them, when he ſpake of juſtification. For, ſaying I am not conſcious of any want, yet thereby am I not juſtified, he would inferre, but I am juſtified by ſomething elſe, and ſo would prove the certaintie. But the true ſenſe is, that *Paul* ſpeaketh of defect in the office of preaching, and ſaith, my conſcience doth not accuſe me of defect in any thing, yet I dare not ſay I have wholly ſatisfied, but I reſerve all to the judgement of God.

He that had not ſeene the memorials of thoſe who had part in theſe diſputations, and how farre different that was which they printed, would not beleeve how much was ſpoken upon this article, and with how much heat, not onely by the Divines, but the Biſhops alſo, all ſeeming to underſtand the truth, and to have it on their ſide: ſo that *Santa Croce* ſaw there was more need of a bridle, then ſpurres, who deſired to make an end of it by intreating them to paſſe to ſomething elſe, and to divert the controverſie. It was twice propoſed in congregation of the Prelats to leave this queſtion as ambiguous, long, and troubleſome; yet they returned to it, being drawne by their affections. At laſt, the Cardinall, ſhewing they had ſaid enough, and that they ſhould conſider againe of the things ſpoken, to reſolve on them more maturely, obtained of them to ſpeak of preparative works, and obſervation of the Law; upon which occaſion the matter of Free-will was brought in by many, and not neglected by the Cardinal, & he propoſed whether they would have that particular alſo handled together with the reſt, becauſe it did ſo cohere with them, that it could not be handled ſeverally. Ther-

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fore Prelats and Divines were deputed to collect Articles, out of the works of the Lutherans, that they might be cenſured.

Articles concerning Free-will.

The Articles were, 1. God is the totall cauſe of our works, good and evill: and the adulterie of *David*, the cruelty of *Manlius*, and the treaſon of *Judas* are works of God, as well as the vocation of *Saul*. 2. No man hath power to think well or ill, but all commeth from abſolute neceſſitie, and in us is no Free-will, and to affirme it, is a meere fiction. 3. Free-will, ſince the ſin of *Adam*, is loſt, and a thing onely titular, and when one doth what is in his power, he ſinneth mortally; yea, it is a thing fained and a title without reality. 4. Free-will is onely in doing ill, and hath no power to do good. 5. Free-will moved by God, doth by no meanes cooperate, and followeth as an inſtrument without life, or as an unreaſonable creature. 6. That God converteth thoſe onely whom hee will, though they will not, and ſpurne againſt it.

The Diſcuſſion of the Articles.

Upon the two firſt Articles they rather ſpake in a tragicall manner, then Theologicall; that the Lutheran doctrine was a frantique wiſdome; that mans will as they make it, is prodigious; that thoſe words, a thing of title onely, a title without realitie, are monſtrous; that the opinion is impious and blaſphemous againſt God; that the Church hath condemned it againſt the *Manichees*, *Priſcillianiſts*, and laſtly, againſt *Abaillardus*, and *Wigleffe*, and that it was a follie, againſt common ſenſe, every one proving in himſelfe his owne libertie; that it deſerveth not confutation, but, as *Ariſtotle* ſaith, chaſtiſement, or experimentall proofe. That *Luthers* Schollers perceived the folly, and to moderate the abſurditie, ſaid after, that man had libertie in externall, politicall, and œcumenicall actions, and in matters of civill juſtice, that which every one but a foole knoweth to proceed from counſell and election, but denied libertie in matters of divine juſtice onely.

Marinarus ſaid, that as it is fooliſh to ſay, no humane action is in our power, ſo it is no leſſe abſurd to ſay, that every one is; every one finding by experience that hee hath not his affections in his power; that this is the ſenſe of the Schooles, which ſay, that we are not free in the firſt motions; which freedome becauſe the Saints have, it is certaine, that ſome freedome is in them, which is not in us. *Catarinus*, according to his owne opinion, that without Gods ſpeciall aſſiſtance, a man cannot do a morall good, ſaid there was no libertie in this, and therefore that the fourth Article was not ſo eaſily to be condemned. *Vega*, after he had ſpoken with ſuch ambiguitie, that he underſtood not himſelfe, concluded, that betweene the Divines and the Proteſtants there was no difference of opinion. For theſe concluding now that there is liberty in Philoſophicall juſtice, and not in ſupernaturall; in externall works of the Law, not in internall and ſpirituall; it is to ſay preciſely with the Church, that one cannot do ſpirituall works, belonging to Religion, without the aſſiſtance of God. And though he ſaid that all indevour was to be uſed for compoſition, yet he was not gratefully heard, it ſeeming in ſome ſort a prejudice, that any of the differences might be reconciled; and they were wont to ſay that is this a point of the Colloquies, a word abhorred, as if by that, the Laitie had uſurped that authoritie which is proper to Councels.

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A great diſputation aroſe amongſt them, whether it be in mans power to beleeve or not beleeve. The Franciſcans following *Scotus*, did denie it; ſaying, that as knowledge doth neceſſarily follow demonſtrations, ſo faith doth ariſe neceſſarily from perſuaſions, and that it is in the underſtanding, which is a naturall agent, and is naturally moved by the object. They alleadged experience, that no man can beleeve what he will, but what ſeemeth true; adding that no man would feele any diſpleaſure, if hee could beleeve hee had it not. The Dominicans ſaid, that nothing is more in the power of the will then to beleeve, and, by the determination and reſolution of the will onely, one may beleeve the number of the ſtarres is even. 1546 PAUL 3. CHARLES 5. HENRY 8. FRANCIS 1

Upon the third Article, whether Free-will be loſt by ſinne, very many authorities of Saint *Auſtine* being alleadged, which expreſſely ſay it, *Soto* did invent, becauſe he knew no other meanes to avoid them, that true libertie is equivocall; for either it is derived from the Noune, *Libertas*, *freedome*, or from the Verb *Liberare*, *to ſet free*: that in the firſt ſenſe it is oppoſed to neceſſity, in the ſecond to ſervitude; and that when Saint *Auſtine* ſaid, that Free-will was loſt, he would inferre nothing elſe, but that it is made ſlave to ſinne and Satan. This difference could not be underſtood, becauſe a ſervant is not free, for that he cannot do his owne will, but is compelled to follow his Maſters; and by this opinion *Luther* could not be blamed for intitling a book of *ſervile will*.

Many thought the fourth Article abſurd, ſaying, that liberty is underſtood to be a power to both the contraries: therefore that it could not bee ſaid to be a libertie to evill, if it were not alſo to good. But they were made to acknowlede their error, when they were told that the Saints, and bleſſed Angels in heaven, are free to do good, and therefore that it was no inconvenience that ſome ſhould be free onely to do evill.

In examining the fifth and ſixth Articles, of the conſent which Free-will giveth to divine inſpiration, or preventing grace, the Franciſcans and Dominicans were of divers opinions. The Franciſcans contended that the will being able to prepare it ſelfe, it hath liberty much more to accept or refuſe the divine prevention, when God giveth aſſiſtance, before it uſeth the ſtrength of nature. The Dominicans denied that the works preceding the vocation are truly preparatory, and ever gave the firſt place to God. Notwithſtanding there was a contention betweene the Dominicans themſelves. For *Soto* defended, that although a man cannot obtaine grace, without the ſpeciall preventing aſſiſtance of God, yet the will may ever ſome way reſiſt and refuſe it, and when it doth receive it, it is becauſe it giveth aſſent, and doth will ſo: and if our aſſent were not required, there would bee no cauſe why all ſhould not be converted. For, according to the Apocalyps, God ſtandeth alwayes at the gate, and knocketh: and it is a ſaying of the Fathers, now made common, that God giveth grace to every one that will have it, and the Scripture doth alwayes require this conſent in us; and to ſay otherwiſe were to take away the libertie of the will, and to ſay that God uſeth violence.

Friar *Aloiſius Catanea* ſaid to the contrary, that God worketh two ſorts of preventing grace in the minde, according to the doctrine of Saint *Thomas*;

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the one ſufficient, the other effectuall; to the firſt the will may conſent or reſiſt, but not to the ſecond, becauſe it implieth contradiction that efficacity can be reſiſted. For proofe he alleadged places of Saint *John*, Saint *Paul*, and very cleere expoſitions of Saint *Auſtine*. He anſwered, that it ariſeth hence that all are not converted, becauſe all are not effectually prevented. That the feare of overthrowing Free-will is removed by Saint *Thomas*. That things are violently moved by a contrary cauſe, but never by their owne: and God being the cauſe of the will, to ſay it is moved by God, is to ſay it is moved by it ſelfe. And hee condemned, yea mocked the Lutherans manner of ſpeech, that the will followeth, as a dead or unreaſonable creature; for being reaſonable by nature, moved by its owne cauſe, which is God, it is moved as reaſonable, and followeth as reaſonable. And likewiſe that God converteth, though men will not, and ſpurne at him. For it is a contradiction that the effect ſhould ſpurne againſt the cauſe. That it may happen that God may effectually convert one, that before hath ſpurned againſt ſufficient preventi. on; but afterwards cannot, becauſe a gentleneſſe in the will moved, muſt needs follow the efficacie of the divine motion.

Soto ſaid, that every divine inſpiration was onely ſufficient, and that that wherunto Free-will hath aſſented, obtaineth efficiency by that conſent, without which it is uneffectuall, not by the defect of it ſelfe, but of the man. This opinion he defended very fearefully, becauſe it was oppoſed, that the diſtinction of the reprobate from the elect, would proceed from man, contrary to the perpetuall Catholike ſenſe; that the veſſels of mercie are diſtinguiſhed by grace from the veſſels of wrath. That Gods election would be for works foreſeene, and not for his good pleaſure. That the doctrine of the Fathers, and of the African and French Councels againſt the Pelagians, hath alwayes publiſhed, that God maketh us to will, which is to ſay, that hee maketh us conſent. Therefore giving conſent to us, it ought to bee attributed to the divine power; or elſe he that is ſaved would no more be obliged to God, then he that is damned, if God ſhould uſe them both alike.

But, notwithſtanding all theſe reaſons, the contrary opinion had the generall applauſe, though many confeſſed, that the reaſons of *Catanea* were not reſolved, and were diſpleaſed that *Soto* did not ſpeak freely, but ſaid that the will conſenteth in a certaine manner, ſo that it may in a certaine manner reſiſt: as though there were a certaine manner of meane betweene this affirmation and negation. The free ſpeech of *Catanea*, and the other Dominicans, did trouble them alſo, who knew not how to diſtinguiſh that opinion, which attributeth juſtification to conſent, from the Pelagian: and therefore they wiſhed them to take heed of leaping beyond the mark, by a too great deſire to condemne *Luther*; that objection being eſteemed above all, that, by this meanes, the divine election or predeſtination would bee for works foreſeene; which no Divine did admit. This drew them to ſpeak alſo of Predeſtination.

Articles concerning Predeſtination, drawne out of the writings of the *Zuinlians*.

Therefore it was determined, by reaſon of the connection, to draw Articles, in this ſubject, alſo from the doctrine of the Proteſtants. In the books of *Luther*, in the *Auguſtan* confeſſion, and in the *Apologies*, and *Colloquies*, there was nothing found that deſerved cenſure: but much in the writings of the *Zuinglians*;

Zuinglians; whence theſe following Articles were drawne. 1. For Predeſtination and reprobation, that man doth nothing, but all is in the will of GOD. 2. The Predeſtinated cannot be condemned, nor the Reprobate ſaved. 3. The elect and predeſtinated onely are truly juſtified. 4. The juſtified are bound by faith to beleeve they are in the number of the Predeſtinated. 5. The juſtified cannot fall from grace. 6 Thoſe that are called, and are not in the number of the Predeſtinated, do never receive grace. 7. The juſtified is bound to beleeve, by faith, that hee ought to perſevere in juſtice untill the end. 8. The juſtified is bound to beleeve for certaine, that in caſe he fall from grace, he ſhall receive it againe. 1546 PAUL 3. CHARLES 5. HENRY 8. FRANCIS 1.

In examining the firſt of theſe Articles, the opinions were divers. The moſt eſteemed Divines amongſt them thought it to bee Catholike, and the contrary hereticall; becauſe the good Schoole Writers, Saint *Thomas*, *Scotus*, and the reſt, do ſo think; that is, that GOD, before the creation, out of the maſſe of mankind, hath elected by his onely and meere mercy, ſome for glory, for whom he hath prepared, effectually, the meanes to obtaine it: which is called to predeſtinate. That their number is certaine and determined, neither can there be any added. The others not predeſtinated cannot complaine, for that GOD hath prepared for them ſufficient aſſiſtance for this, though indeed none but the elect ſhall be ſaved. For the moſt principall reaſon, they alleadged, that Saint *Paul* to the *Romans*, having made *Jacob* a paterne of the predeſtinated, and *Eſau* of the Reprobate, hee produceth the Decree of GOD, pronounced before they were borne, not for their works, but for his owne good pleaſure. To this they joyned the example of the ſame Apoſtle, that as the Potter of the ſame lump of clay, maketh one veſſell to honour, another to diſhonour, ſo GOD of the ſame maſſe of men, chuſeth and leaveth whom he liſteth. For proofe whereof Saint *Paul* bringeth the place, where GOD ſaith to *Moſes*; *I will ſhew mercie on whom I will ſhew mercy, and I will ſhew pitie on whom I will ſhew pitie.* And the ſame Apoſtle concludeth, *that it is not of him that willeth, or of him that runneth, but of God who ſheweth mercy*: adding after, that *God ſheweth mercy on whom he will, and hardeneth whom he will.* They ſaid further, that for this cauſe the counſell of the divine predeſtination, and reprobation is called, by the ſame Apoſtle, the height and depth of wiſdome, unſearchable, and incomprehenſible. They added places of the other Epiſtles, where hee ſaith; *Wee have nothing but what we have received from God*, that *we are not able of our ſelves, ſo much as to think well*; and where, in giving the cauſe why ſome have revolted from the faith, and ſome ſtand firme, he ſaid, it was becauſe *the foundation of God ſtandeth ſure, and hath this Seale; the Lord knoweth who are his.* They added divers paſſages of the Goſpel of Saint *John*, and infinite authorities of Saint *Auſtin*, becauſe that Saint wrote nothing in his old age, but in favour of this doctrine. The diſcuſſion of the Articles.

But ſome others, though of leſſe eſteeme, oppoſed this opinion, calling it hard, cruell, inhumane, horrible, impious, and that it ſhewed partialitie in GOD, if, without any motive cauſe, he elected one, and rejected another; and unjuſt, if he damned men for his owne will, and not for their faults, aud had created ſo great a multitude to condemne it. They ſaid it deſtroyed Free-will, becauſe

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becauſe the elect cannot finally doe evill, nor the reprobate good; that it caſteth men into a gulfe of deſperation, doubting that they bee reprobates, that it giveth occaſion to the wicked of bad thoughts, not caring for penance, but thinking that if they bee elected, they ſhall not periſh; if reprobates, it is in vaine to do well, becauſe it will not help them. They confeſſed, that not onely works are not the cauſe of Gods election, becauſe that it is before them, and eternall, but that neither works foreſeene can move God to predeſtinate, who is willing, for his infinite mercie that all ſhould bee ſaved; and to this end prepareth ſufficient aſſiſtance for all, which every man, having Free-will, receiveth or refuſeth, as pleaſeth him: and God in his eternitie, foreſeeth thoſe who will receive his help, and uſe it to good, and thoſe who will refuſe; and rejecteth theſe, electeth and predeſtinateth thoſe. They added, that otherwiſe there was no cauſe why God in the Scripture ſhould complaine of ſinners, nor why hee ſhould exhort all to repentance and converſion, if they have not ſufficient meanes to get them: that the ſufficient aſſiſtance, invented by the others, is unſufficient, becauſe in their opinion, it never had or ſhall have any effect.

The firſt opinion as it is myſticall and hidden, keeping the mind humble and relying on God, without any confidence in it ſelfe, knowing the deformitie of ſinne, and the excellencie of divine grace, ſo this ſecond was plauſible and popular, cheriſhing humane preſumption, and making a great ſhew; and it pleaſed more the preaching Fryars, then the underſtanding Divines. And the Courtiers thought it probable, as conſonant to politique reaſons. It was maintained by the Biſhop of *Bitonto*, and the Biſhop of *Salpi* ſhewed himſelfe very partiall. The defenders of this, uſing humane reaſons, prevailed againſt the others, but comming to the teſtimonies of the Scriptures, they were manifeſtly overcome.

Catarinus holding the ſame opinion to reſolve the places of Scripture, which troubled them all, invented a middle way: that God of his goodneſſe, hath elected ſome few, whom he will ſave abſolutely, for whom he hath prepared moſt potent, effectuall, and infallible meanes; the reſt he deſireth for his part they ſhould be ſaved, and to that end hath provided ſufficient meanes for all, leaving it to their choice to accept them, and bee ſaved, or refuſe them and be damned. Amongſt theſe there are ſome who receive them and are ſaved, though they be not of the number of the elect; of which kind there are very many. Others refuſing to cooperate with God, who wiſheth their ſalvation, are damned. The cauſe why the firſt are predeſtinated, is onely the will of God; why the others are ſaved, is the acceptation, good uſe, and cooperation with the divine aſſiſtance, foreſeene by God; why the laſt are reprobated, is the foreſeeing of their perverſe will, in refuſing, or abuſing it. That Saint *John*, Saint *Paul*, and all the places of Scripture alleadged by the other part, where all is given to God, and which do ſhew infallibilitie, are underſtood onely of the firſt, who are particularly priviledged; and in others, for whom the common way is left, the admonitions, exhortations, and generall aſſiſtances are verified, unto which he that will give eare and follow them, is ſaved, and he that will not, periſheth by his own fault. Of thoſe few who are priviledged above the common condition,

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the number is determinate, and certaine with God, but not of thoſe who are ſaved by the common way depending on humane libertie, but onely in regard of the foreknowledge of the workes of every one. *Catarinus* ſaid hee wondred at the ſtupidity of thoſe, who ſay the number is certaine and determined, and yet they adde that others may be ſaved; which is as much as to ſay, that the number is certaine, and yet it may bee inlarged; and likewiſe of thoſe who ſay, that the reprobates have ſufficient aſſiſtance for ſalvation, though it be neceſſary for him that is ſaved to have a greater, which is to ſay, a ſufficient unſufficient. 1546 PAUL 3. CHARLES 5. HENRY 8. FRANCIS 1.

He added that Saint *Auſtins* opinion was not heard of before his time, and himſelfe confeſſeth, it cannot be found in the works of any who wrote before him, neither did himſelfe alwayes think it true, but aſcribed the cauſe of Gods will to merits, ſaying, God taketh compaſſion on, and hardneth whom he liſteth. But that will of God cannot be unjuſt, becauſe it is cauſed by moſt ſecret merits, and that there is diverſitie of ſinners; ſome, who though they be juſtified, yet deſerve juſtification. But after the heat of diſputation againſt the Pelagians transported him to think, and ſpeak the contrary. Yet when his opinion was heard, all the Catholikes were ſcandalized, as S, *Proſper* wrote to him. And *Genadius* of *Marceilles* 50. yeeres after, in his judgement which he maketh of the famous writers, ſaid that it happened to him according to the words of *Salomon*, that in much ſpeaking one cannot avoid ſinne, and that by his fault, exaggerated by the enemies, the queſtion was not then riſen, which might afterwards bring forth hereſie; whereby the good Father did intimate his feare, of that which now appeareth, that is, that, by that opinion, ſome Sect and diviſion might ariſe.

The cenſure of the ſecond Article was divers, according to the three related opinions. *Catarinus* thought the firſt part true, in regard of the efficacie of the Divine will, toward thoſe who are particularly favoured; but the ſecond falſe, concerning the ſufficiencie of Gods aſſiſtance unto all, and mans libertie in cooperating. Others aſcribing the cauſe of Predeſtination in all to humane conſent, condemned the whole Article in both parts. But thoſe that adhered to S. *Auſtin*, and the common opinion of the Theologues, did diſtinguiſh it, and ſaid it was true in a compounded ſenſe, but damnable in a divided: a ſubtiltie which confounded the minds of the Prelats, and his owne, though he did exemplifie it, by ſaying; he that moveth cannot ſtand ſtill, it is true in a compound ſenſe becauſe it is underſtood, while he moveth; but in a divided ſenſe it is falſe, that it is in another time. Yet it was not well underſtood, becauſe applying it to his purpoſe, it cannot be ſaid, that a man predeſtinated can be damned, in a time when he is not predeſtinated, ſeeing he is alwayes ſo: and generally the divided ſenſe hath no place where the accident is inſeparable from the ſubject. Therefore others thought to declare it better, ſaying that God governeth and moveth every thing, according to its proper nature, which in contingent things is free, and ſuch, as that the Act may conſiſt together with the power to the oppoſite; ſo that with the act of predeſtination, the power to reprobation and damnation doth ſtand. But this was worſe underſtood then the firſt.

The other Articles were cenſured with admirable concord. Concerning

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ning the third and ſixt, they ſaid it hath alwayes beene an opinion in the Church, that many receive divine grace, and keep it for a time, who afterwards do loſe it, and in fine are damned. There was alleadged the example of *Saul*, *Solomon*, and *Judas* one of the twelve, a caſe more evident then all, by the words of Christ to the Father; *I have kept in thy Name all that thou haſt given me, of which not one hath periſhed but the ſonne of perdition.* To theſe they added *Nicholas*, one of the ſeven Deacons and others, firſt commended in the Scriptures, and then blamed; and for a concluſion of all, the fall of *Luther*. Againſt the ſixt they particularly conſidered, that vocation would be an impious deriſion, when thoſe that are called, and nothing is wanting on their ſide, are not admitted: that the Sacraments would not be effectuall for them; all which things are abſurd. But for cenſure of the firſt, the authoritie of the Prophet was brought, directly contrary in termes, where God ſaith, that, *if the juſt ſhall abandon juſtice, and commit iniquity, I will not remember his good works.* The example of *David* was added, who committed murther and adultery; of *Magdalene* and Saint *Peter*, who denied Christ. They derided the follies of the Zuinglians, for ſaying the juſt cannot fall from grace, and yet ſinneth in every work. The two laſt were uniformly condemned of temerity, with exception of thoſe unto whom God hath given a ſpeciall revelation, as to *Moyſes* and the Diſciples, to whom it was revealed that they were written in the book of heaven.

The examination of the Divines, concerning Free-will and Predeſtination, being ended, and the *Anathematiſmes* in thoſe matters framed, they were joyned to thoſe of juſtification, according to their fit places. Whereunto oppoſition was made by ſome in one part, by ſome in another, where there appeared any word which might prejudicate their opinion. But *Jacobus Coccus* Archbiſhop of *Corfu*, conſidered, that by the Theologues, the Articles were cenſured with many limitations and amplifications, which ought to be inſerted in the *Anathematiſmes*, that the propoſition might not abſolutely be condemned, which might receive a good conſtruction; and the rather, becauſe it is humanitie, to make the moſt favourable interpretation, and charitie, not to think evill. Divers did contradict; firſt in regard of the practice of the ancient Councels, which have condemned hereticall propoſitions without limitation, naked, as they have beene delivered by the hereticks; eſpecially becauſe it is ſufficient in matter of faith, for condemning an Article, that it hath one falſe ſenſe which may cauſe the unadviſed to erre. Both the opinions ſeemed reaſonable, the firſt, becauſe it was fit to know which ſenſe was condemned; the ſecond, becauſe it was not for the honour of the Councell to limit the propoſitions of hereticks. Hereunto was added, that all the Canons were thus compoſed, reciting the opinion which was to be condemned, and alleadging, for cauſe thereof the places of Scripture, and doctrine of the Church, unto which it was oppoſite. The Canons were made, according to the forme of the Councell of *Orange*, like to thoſe of originall ſinne, in the preceding Seſſion, But the reading of them proving long and tedious, and the mixture of truth and falſhood of things reproved and approved not very intelligible, the Biſhop of *Sinigaglia* put them fitly in minde of a remedie for both inconveniences; that it was better to

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ſeparate the Catholike doctrine from the contrary, and make two Decrees; in one to make a continuated Declaration, and confirmation of the doctrine of the Church; in the other to condemne, and *anathematize* the contrarie. The advice pleaſed all, and ſo it was reſolved, and firſt the *Anathematiſmes* were framed apart, and then paines taken to make the other Decree. And this they called the Decree of the doctrine, and that the Canons; which ſtile was after followed in the ſecond and third Convocation of the Councell.

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The Decree of the doctrine and the Canons.

Santa Croce took incredible paines to make the Decrees, avoyding, as much as was poſſible, to inſert any thing controverſed among the Schoolemen, and ſo handling thoſe which could not bee omitted, as that every one might be contented; in every Congregation he obſerved what was diſliked by any, and took it way, or corrected it, as he was adviſed: and hee ſpake not onely in the Congregations, but with every one in particular, was informed of all the doubts, and required their opinions: he diverſified the matter with divers orders, changed ſometimes one part, ſometimes another, untill he had reduced them to the order in which they now are, which generally pleaſed and was approved by all. It is certaine, that to determine theſe things, Congregations were held, conſiſting partly of Theologues, partly of the Prelats, to the number of one hundred, and that, from the beginning of September untill the end of November, there paſſed not a day, in which the Cardinall did not meddle with that which was done before, and change ſomething. The memoriall of theſe mutations remaineth; whereof I will rehearſe two as a taſt of many, which it would be tedious to recount. In the firſt point of doctrine, it was firſt written, by common conſent, that neither the Gentiles, by vertue of Nature, nor the Jewes, by the law of *Moyſes*, could free themſelves from ſinne; and becauſe many did hold that circumciſion did remit ſinnes, they ſuſpected that theſe words might prejudice their opinion, though S. *Paul* hath, in expreſſe termes, ſaid the ſame in more then one place. The Cardinall, to ſatisfie theſe men, in the place where it was ſaid (*Per ipſam etiam legem Moyſi*) changed, and ſaid (*Per ipſam etiam literam legis Moyſi*) & every ordinary Divine might eaſily judge, how well the word *literam* did befit that place. In the beginning of the eight point, thoſe that maintained certaintie of grace, were not contented it ſhould bee ſaid, A mans ſinnes are not omitted by the certaintie of remiſſion, and becauſe one is confident in it. And the Cardinall gave them ſatisfaction, by excluding the reall certainty, and putting in the roome, boaſting, and confidence in that onely. And in the concluſion of that point, every one might plainly ſee, that the cauſe ought to have beene given, for that no man can certainly know that hee hath obtained grace. But to ſatisfie one part, hee added certainty of faith; and the Dominicans, thinking this was not enough, urged him to adde Catholike. But becauſe the adherents of *Catarinus* were not contented, inſtead of thoſe words, Catholike faith, it was ſaid, Faith, which cannot bee ſubject to falſhood. This contented both ſides. For one party inferred then, that certaintie of faith which can be had herein, may be falſe, and therefore is uncertaine; the other inferred, that this certainty could have no doubt of falſhod while it remained, but by changing from the ſtate

Santa Croce took great paines to give every one ſatisfaction in making the Decrees.

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of grace to the State of ſinne, it may become falſe; as all contingent truths, by alteration of their ſubjects, are made falſe. But the Catholike faith is not onely certaine, but unchangeable, becauſe the ſubject of it are things neceſſary, or paſt, which cannot be altered.

Dominicus Soto principal of the Dominicans, and *Andreas Vega* chiefe of the Franciſcans, publiſh books as commentaries of the Decree, contrary one to another.

And truly, concerning theſe particulars, it is not fit to rob the Cardinall of his due praiſe, who knew how to ſatisfie men, even obſtinate in contrary opinions. And thoſe that would be better informed therein, may underſtand, that immediatly after the Seſſion, Friar *Dominicus Soto*, principall of the Dominicans, wrote three books, and did intitle them, of Nature and Grace; for commentary of this Doctrine, and in his expoſitions, all his opinions are found. When this work was publiſhed, Friar *Andreas Vega*, the moſt eſteemed of the Franciſcans, ſet forth fifteene great books for Commentaries upon the ſixteene points of that Decree, and did expound it all according to his owne opinion. Theſe two opinions do not onely differ almoſt in all the Articles, but, in many of them, are expreſly contrarie. Both which works were printed in the yeere 1548. and he that ſhall read them, obſerving that they do give very often interchangeable and doubtfull ſenſes to the words of the Councell, will marvell how theſe two perſons, the chiefe for learning and eſtimation, who had greater part therein then others, did not know the only ſence, and true ſcope of the Synod: of which alſo, ſome few others, of thoſe which were intereſſed, having written diverſly, I could never finde, whether that aſſembly did agree in one ſence, or whether there was unity of words onely. But to returne to the Cardinall; when the Decree was approved by all in *Trent*, hee ſent it to the Pope, and the Pope gave it to the Friars and learned men of *Rome* to be conſulted of; and it was approved by them, becauſe every one might underſtand it in his owne ſence.

The Decree is ſent to *Rome*, and approved there.

Reformation is handled.

I have rehearſed altogether what was done in matter of faith, that I might not divide things that are connexed. But in the meane time ſome daies were ſpent about the reformation; and in thoſe congregations it was propoſed to ſet downe the qualities, requiſite in the promotion of the greater Prelats, and Miniſters of the Church. And very grave ſayings were delivered with great oſtentation, but there was no way found how thoſe things whereof they ſpoke might be obſerved. For where the Kings have the preſentation, they ſaw not with what bonds to tie them: where election hath place, the chapter doth conſiſt of great and mighty perſons: for the reſidue, all dignities are conferred by the Pope, and more then two thirds of the benefices are reſerved to the Apoſtolike Sea; unto which it is not fit to preſcribe a law. Whereupon, after many and long diſcourſes, it was concluded, that it was better to leave the buſineſſe.

The point concerning the qualities of the Prelats is omitted.

The point of reſidencie is handled.

The diſcourſes in point of reſidency were neither fewer nor ſhorter; which ended not in the reſolution which was neceſſary, and deſired by many, and made ſome confuſion then, and prepared matter for other times. For the underſtanding whereof, it is neceſſary to reſume this matter from the beginning.

A diſcourſe of the Author concerning reſidencie.

The Eccleſiaſticall Degrees were not originally inſtituted as dignities, preheminencies, rewards, or honours, as now they are, and have beene many hundred yeeres but as miniſteries and charges, otherwiſe called by Saint *Paul*,

Paul, works, and thoſe that exerciſe them, are called by CHRIST our LORD in the Goſpel, Work-men; and therefore no man could then enter into cogitation to abſent himſelfe from the execution thereof in his owne perſon: and if any one (which ſeldome happened) retired from the work, it was not thought reaſonable, hee ſhould have either title or profit. And though the miniſteries were of two ſorts, ſome anciently called, as now they are, with care of ſoules: others of temporall things, for the ſuſtenance and ſervice of the poore and ſick, as were the Deaconries, and other inferiour works, all held themſelves equally bound to that ſervice, in perſon; neither did any think of a ſubſtitute, but for a ſhort time, and for great impediments, much leſſe to take another charge, which might hinder that. The Church being increaſed, where there were many Chriſtians, and free from perſecutions, another ſort of Miniſters was inſtituted, to ſerve in the Eccleſiaſticall aſſemblies, as well in reading the divine Scriptures, as in other functions, to ſtirre up devotion. There were inſtituted alſo Colledges of Miniſters, which might in common apply themſelves to ſome charge; and others as Seminaries, from whence to take Miniſters inſtructed already. Theſe of the Colledges, not having any perſonall charge, ſeeing the Congregation did adminiſter, as well with one more, as with one leſſe, ſometimes, by reaſon of ſtudie, or greater inſtruction, or for ſome other cauſe, were abſent from the Church, one for a ſhort time, another for a long, without having title, charge, or profit. So Saint *Jerom*, a Prieſt of *Antioch*, but without any particular Cure, and *Ruffinus*, in the ſame manner, of *Aquileia*, and Saint *Paulinus*, ordained Prieſt of *Barcellona*, did reſide but little. But when the number of them increaſed, they did degenerate, and were called vagabond Clerks, becauſe that manner of living made them odious, who are often ſpoken of in the Lawes and novell conſtitutions of *Juſtinian*. But never any thought to hold the title of an office, or enjoy the profit, without doing ſervice, but onely, after the yeare ſeven hundred, in the Weſt Church, when the Eccleſiaſtical miniſteries were changed, and made dignities, and honours and rewards for ſervices done. And as before a perſon was choſen fit for the neceſſitie of the Church, ſo afterward a degree, dignity, or emolument was fitted to the qualitie of the perſon; from whence aroſe the exerciſing of the miniſtery by a ſubſtitute. This abuſe hath drawne in another by conſequence; that is, to thinke ones ſelfe diſobliged, not onely to miniſter, but to bee preſent, and aſſiſt him that laboureth in his place. And indeed where the induſtry of the perſon is not choſen for the work, but a place and degree is provided for the perſon, there is no reaſon he ſhould be bound to labour for himſelfe, or aſſiſt him that doeth. The diſorder proceeded ſo farre, that it would have overthrowne the Clergie, if the Popes had not in part reſiſted, commanding that Prelats and other Curates, though they might exerciſe the charge by ſubſtitutes, yet ſhould be tyed to aſſiſtance in the place, which they called reſidence. Whereunto alſo they bound the Canons, without conſtraining other beneficed Clerks unto it, not ſo much as ſpeaking of them, but leaving them to the cuſtome, or rather abuſe brought in: by which ſilence it came to paſſe, that they thought themſelves obliged. Neither did this voluntarie deceipt diſpleaſe the Pope, who ſaw very well that it would end in the greatneſſe of

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the Court. And hence arose the pernicious, and never sufficiently detested distinction, of Benefices of residence, and not residence; which followed as well in deed as in doctrine, without any blush of absurditie, which it did evidently bring with it; that is, to give a title and salary without Obligation. And to palliate it, or rather to make it more shamefull, whereas the Canonists have a maxime convincing this absurdity, that is, that every Benefice is given for an office, they have expounded it, understanding by office, the houres or prayers of the Breviarie: so that a revenue of a thousand or ten thousand, or more crownes is given for this onely, to take a Breviarie in hand, and read as fast as one can, in a low voice, not marking any thing but to pronounce the words. But the distinction of the Doctours, and the provision of the Popes augmented the abuse in the short time: For without those, some of the beneficed men might perhaps have made conscience of it, but with them, they thinke the abuse is justified, as a thing lawfull. And for the Curates, the Popes dispensation was never denied to any, that sought it by that way by which every thing is obtained at *Rome*. So that the poore onely do reside, and those that gaine by it: and the abuse, first a little remedied by the Popes lawes, did, by the dispensations, not onely leap to the height, but spread it selfe abroad, and infected the earth. After the stirres of *Germany* for Religion, which gave occasion to speak of and desire reformation, every one ascribing the mischiefe to the negligence, and small care of the Prelats, desiring to see them at the government of their Churches, detesting the dispensations, which caused them to bee absent, discourses were made of their Obligation; and some Pious men, amongst whom was Friar *Thomas Caietan*, Cardinall, affirmed that the Obligation of residence was by the Law of GOD. And it happened, as it doth, in all things, that the preceding passion perswaded the more rigid opinion, and more strict Obligation, and made the disobligation more hard. This caused them to adde unto it, the vigor of the Law of GOD. The Prelats, seeing the mischiefe, and desiring it should be excusable, and a small fault, would needs beleeve, that they were not bound by GOD, but by the Pope, whose dispensation, or silence, did save them. With these previous dispositions of doctrine, the matter was proposed in the Councell, as hath beene said: which because it produced a small controversie in the beginning, a greater in the progresse, and in the end (which was in the yeares 1562. and 1563.) greatest of all, it will not be unseasonable to make some recapitulation, and to recount some particular occurrences.

Great controversies in the Councell about residence

Therefore though the Articles first proposed, were but to adde greater bonds, and punishments, to the precepts, to remove the impediments, and facilitate the execution, and all agreed, alleadging perswasions out of the old and new Testament, Canons of the Councels, doctrine of the Fathers, and out of the inconveniences which sprang from the non-residencie, yet the major part of the Divines, especially the Dominicans, did determine that the Obligation was by the Law of God. Friar *Bartholomew Caranza*, and Friar *Dominicus Soto*, Spaniards, were the most principall authors. The most grounded reasons they brought were, that Bishopricks are founded by CHRIST, as ministeries and works, and so require a personall action, which a man

A controversie whether residence be *de jure Divino*.

a man abſent cannot performe, that Christ, deſcribing the qualitie of a good ſhepheard, ſaith, that hee giveth his life for the flock, knoweth the ſheep by their names, and walketh before them. The Canoniſts and Italian Prelats did diſpute, that the Obligation was by the Eccleſiaſticall law, alleadging that anciently never any non-reſident was reprehended as a tranſgreſſour of the Law of God, but of the Canons onely. That *Timothie*, though Biſhop of *Epheſus*, was long in his journey, by order of S. *Paul*, That it was ſaid to Saint *Peter*, *Feede the Lambs*; which is underſtood of all, and yet he cannot be every where preſent: ſo the Biſhop may fulfill the commandement of feeding, without reſidence. They anſwered the contrary reaſons, that the conditions of a Paſtor, propoſed by Christ, do agree to none but Christ himſelfe. 1546 PAUL 3. CHARLES 5. HENRY 8. FRANCIS 1.

Friar *Ambroſius Catarinus*, though a Dominican, was contrary to the reſt. He ſaid, the Biſhoprick inſtituted by Christ is one onely, which the Pope hath: the inſtitution of the others is by the Pope; who, as hee divideth the quantity and number of the ſheep to bee fed, ſo hee preſcribeth alſo the manner and quality. Therefore it belongeth to the Pope, to appoint every Biſhop, to attend the flock, by himſelfe, or his ſubſtitute, and may allot unto him either much or little, and deprive him alſo of the power of feeding. *Thomas Campeggius*, Biſhop of *Feltre*, anſwered another way, that the Biſhop, as Saint *Jerom* teſtifieth, is the inſtitution of Christ, but the diviſion of Biſhopricks was after inſtituted by the Church: that Christ gave the charge of feeding to all the diſciples, but tyed them not to a place, as the actions of the Apoſtles, and of their Diſciples do ſhew: the aſſigning of this portion of the flock to one, and that to another, was an Eccleſiaſticall inſtitution, to governe better.

Theſe things were handled by the Biſhops with much paſſion. The Spaniards did not onely adhere to, but cheriſh the opinion, that it was *de jure divino*, having a ſecret, which they communicated onely amongſt themſelves, to make great the Epiſcopall authority. For if it were once decided that they had the charge from Christ to governe their Church, it would bee decided alſo, that they have from him authority neceſſarie for it, which the Pope could not reſtraine. Theſe deſignes were ſmelled out by thoſe that leaned to the Court, therefore in regard of the importance of the matter, they alſo encouraged the maintainers of the contrary opinion. The Legats thought it better to withſtand the danger, by diſſembling their knowledge of it: and, aiming at this mark, ſaid for the preſent, that the matter was hard, and had need of greater examination; that where the controverſie is betweene the Catholikes, they ought not to condemne one part, for feare of making a ſchiſme, and ſowing contentions, that they may joyntly indeavour to confute the Lutherans. Therefore, that it were better to deferre the declaration, by what right it is due, untill another Seſſion. Some thought it ſufficient to renew the old Canons and Decretals in this matter, and ſaid, they were ſevere enough, becauſe they inflicted deprivation for a puniſhment, and reaſonable enough, becauſe they admitted lawfull excuſes. There remained to find a way that diſpenſations might not be granted, and that was ſufficient. Others thought it neceſſary to adde new puniſhments, The Spaniſh ſecret in this point.

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and remove the impediments; which was of the greateſt importance, becauſe thoſe being taken away, reſidencie would follow; and that it was no matter from whence the Obligation came, ſo it were executed; and that this being done, the matter would be better diſcuſſed. It pleaſed the major part that the one and the other ſhould bee done: whereunto the Legates gave conſent, upon condition, that the diſpenſations ſhould not be ſpoken againſt, but, to cauſe them not to be deſired, that the impediments ſhould be taken away, which come by exemptions: wherein there was as much ſpoken, and with no leſſe contention, betweene thoſe which held every exemption for an abuſe, and thoſe who thought them neceſſary in the Church, and reproved onely the exceſſes.

A diſcourſe of the Authour concerning exemptions.

S. *Jerom* witneſſeth, that in the firſt beginnings of Chriſtianity, the Churches were governed by a kinde of Ariſtocracy, by the common counſell of the Presbytery: but to withſtand the diviſions which were brought in, the monarchicall government was inſtituted, giving all the ſuperintendency to the Biſhop, whom all the orders of the Church did obey, neither did any one think to withdraw himſelfe from under the authority. The neighbour Biſhops, whoſe Churches, becauſe they were under one Province, had commerce, did governe themſelves alſo in common by Synods; and to make the government more eaſie, attributing much to the Biſhop of the principall City, they made him as it were Head of that body: and by a more ample communion, which all the Provinces of one prefecture or great government held together, the Biſhop of the City where the Ruler did reſide, gained a certaine ſuperiority, by cuſtome. Theſe prefectures were, the Imperiall City of *Rome*, with the Cities adjoyning; the prefecture of *Alexandria*, which governed *Egypt*, *Libya*, and *Pentapolis*; of *Antioch*, for *Syria*, and other Provinces of the Eaſt; and in the other leſſer prefectures, called in Greek, Διοικήσεις, the ſame was obſerved. This government, brought in, and approved by cuſtome onely, which found it commodious, was eſtabliſhed by the firſt Councell of *Nice* under *Conſtantine*, and ordained by a Canon that it ſhould continue: and every one was ſo farre from putting himſelfe out of this order, that the Biſhop of Jeruſalem having many honourable preheminences, perhaps becauſe it was the place where our Saviour Chriſt converſed in the fleſh, and was the fountaine of Religion, the Councel of *Nice* did ordaine that thoſe honours ſhould ſtill remaine, but ſo, that nothing was detracted from the Metropolitan, then Biſhop of *Ceſarea*. This government, which hath bin ever held in all the Churches of the Eaſt, was altered in the Latine, becauſe many great Monaſteries being built, governed by Abbats of great fame and worth, who by their conſpicuous virtues, made the Biſhops afraid, there aroſe ſome emulation between theſe and thoſe: and the Abbats, to free themſelves from theſe inconveniences, whether reall, or fained, and to cover their ambition, to withdraw themſelves from the ſubjection which they owed, did obtaine of Popes to be received under the protection of Saint *Peter*, and immediately under the ſubjection of the Pope. This being profitable for the Court of *Rome*, becauſe he that obtaineth priviledges, is bound to maintaine the authority of him that granteth them, ſuddenly all the Monaſteries were exempted. The Chapters

ters alſo of Cathedrall Churches, conſiſting for the moſt part of Regulars, by the ſame pretences, did obtaine exemption. Finally, the Cluniacenſian and Ciſterſian Congregations were all wholly exempted, With great inlargement of the Popes authority, which came to have ſubjects in all places, defended and protected by the Papacie, and interchangeably defenders and protectors. The invention was not commended by Saint *Bernard*, who lived in that time, and was of the Ciſterſian Congregation: yea, hee admoniſhed Pope *Eugenius* 3. to conſider thereof, that all were abuſes, that it ought not to be well taken if an Abbat did refuſe to obey the Biſhop, and the Biſhop the Metropolitan: that the militant Church ſhould take example by the triumphant, where no Angel ever ſaid, I will not be under the Archangel. But *Bernard* would have ſaid more, if he had lived in the times following, when the Mendicant Orders, obtained, not onely a generall exemption, from the Epiſcopall authority, but power alſo to build Churches, in any place whatſoever, and to adminiſter the Sacraments in them. But in theſe laſt ages the abuſe went on ſo far, that every petty Prieſt did obtaine, with a ſmall charge, an exemption from the ſuperiority of his Biſhop, not onely in cauſes of correction, but alſo to be ordained by whom he liſteth, and in ſumme, not to acknowledge the Biſhop at all. 1546 PAUL 3. CHARLES 5. HENRY 8. FRANCIS 1.

This being the ſtate of the cauſe, and the Biſhops requiring remedie, ſome that were more vehement, returned to the things ſpoken in the Congregations, that were before the other Seſſion, againſt the exemption of Friars. But the wiſer ſort thinking it impoſſible to obtaine any thing, ſo long as the number and greatneſſe of the Regular Orders continued, and favour of the Court, they were contented to remove onely the exemptions of the Chapters, and particular perſons, and demand a revocation of them all. But the Legats, treating with them in particular, and putting them in mind that all the reformation could not be made by that Seſſion, that it was fit to begin, and leave ſomething for future times, made them reſt contented, that the exemption of particular Prieſts, Friars, not inhabiting in the Cloyſters, and of Chapters only in criminall cauſes, ſhould be removed (from whence the greater diſorders do ariſe,) as alſo faculties to give Clericall Orders to him that reſideth not in his owne Dioceſſe: promiſing to provide againſt the other abuſes in another Seſſion.

A ſmall reformation in matter of exemption is made.

While theſe things were handled in *Trent*, the Pope having received advice from the Cardinall *Farneſe*, conſidering with how ſmall reputation an Apoſtolique Legate did remaine in *Ratiſbon*, when his ſouldiers were in the field, he recalled him: and with him, a great number of Italian Gentlemen, which were of the Popes troupes, did depart. In the middeſt of October, the two armies were ſo neare, at *Santhem*, that there was but a little river betweene them. And ſtanding ſo, *Octavius Farneſe*, ſent by the Emperour with the Italians, and ſome Dutchmen, took *Davevert* in the ſight of the enemie, who having done nothing while he was in *Suevia* but hindred the Emperour, was conſtrained in November to abandon the Countrey, by reaſon of a great diverſion, made by the *Bohemians*, and others of the Imperiall faction, againſt *Saxonie*, and *Haſſia*, places belonging to the two Proteſtants Heads; who retired to defend their owne Countreyes, leaving *High Germany*

Card. *Farneſe* the Popes Legat, with the Emperour, is recalled.

The two Armies are neare together, and *Davevert* is taken by *Octavius Farneſe*.

High Germany is left to the Emperours diſcretion.

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Germany at the Emperours diſcretion; and this was the cauſe why many Princes and Cities combined, did incline to compoſition with him, having honeſt caution to hold their Religion. But he would not make mention thereof in writing, leſt the warre ſhould ſeeme to be made for that cauſe, which would offend thoſe that followed him, make others more unwilling to render themſelves, and give ſuſpicion to the Eccleſiaſtiques of *Germany*, who hoped to ſee the Romane Rites reſtored in every place. Yet his Miniſters promiſed them all, that they ſhould not be moleſted in the exerciſe of Religion, excuſing their Maſter, if, for many reſpects, he could not ſatisfie them, to make a capitulation thereof: and hee ſo carried himſelfe, that his reſolution appeared to give them content by connivencie. By theſe deditions the Emperour gained much Artilery, drew much money from the Cities, to the value of many hundred thouſands, and, which was of greateſt importance, was abſolute Lord of all *High Germany*.

The Pope is jealous of the Emperor, and recalleth his forces;

This happineſſe made the Pope jealous, and think to provide for himſelfe before all *Germany* were ſubdued. His ſouldiers under the conduct of his grand-child *Octavius*, were much diminiſhed in number, by reaſon of thoſe who parted with the Cardinall *Farneſe*, and of others who did run away by whole ranks, for the incommodities they ſuffered. The reſidue, in the middeſt of December, the Emperours Armie being lodged neare the Village of *Sothen*, departed, by order from the Pope, from whom *Octavius* had commandement to returne into *Italy*, and to tell his Uncle, that the ſix moneths being ended, the Pope could no longer beare ſo great a charge: that the time of the obligation was ended, and that effected for which the league was made, that is *Germany* brought into obedience. The Emperour complained, that he was abandoned when he had moſt need of help. For nothing was done, ſo long as the Heads were not oppreſſed, who could not be ſaid to bee ſubdued, but retired onely, to defend their owne Territories; and being delivered from feare, it was to be doubted they would returne with greater forces, and better order then before. But the Pope juſtified his not continuing in the league, and the departure of his men, by ſaying, that he was not made partaker of the compoſition with the Cities and Princes, which could not be eſtabliſhed without him; and eſpecially, becauſe it was made with much prejudice of the Catholique faith, tolerating hereſie, which might have beene rooted out. That according to capitulation, hee had not beene partaker of the profits of the warre, nor of the money the Countreys paid which did compound; that the Emperour complained, when himſelfe was offended and diſeſteemed, even with dammage of Religion. Nor content with this, he forbade the Emperour to receive money of the Churches of *Spaine*, longer then the ſix moneths: and though the Emperours Miniſters made many effectuall treaties with him, ſhewing that the cauſe continuing for which they were granted, it required that the grant alſo ſhould continue, and that all would be in vaine, and without fruit, if the warre were not ended; yet they could not remove him from his reſolution.

Whereof the Emperour complaineth.

The Pope juſtifieth his action.

The *Fieſchi* make a conſpiracie againſt the *Dorii* in *Genua*, for which the Pope is blamed by the Emperour.

In *Genua*, the family of the *Fieſchi*, making a dangerous conſpiracie (which had almoſt taken effect) againſt that of the *Dorii*, which followed the Emperors ſide, the Emperor was aſſured that the Popes ſon, the Duke of *Piacenza*

was

was author of it, and beleeved that it came from the Pope, and refrained not to adde this complaint to the others. The Pope beleeved the Emperour would be busied in *Germany* a long time, and not be able to offend him with temporall forces: but feared he might trouble him by making the Protestants go to the Councell. To separate the Councell seemed too violent and scandalous a remedy, especially having continued seven moneths in a treatie, whereof nothing was published. He was of opinion to publish the things already digested, seeing that by that declaration, either the Protestants would refuse to go thither, or, if they went, would bee constrained to accept it; wherein the principall point of all the controversies consisting, the victory would be his owne. And if there were no other reason to do it, this was sufficient to prove it was good for him, because the Emperour would not have any controversies decided. For the counsels of those that have contrary ends, ought to be contrary. He saw well, that the Emperour would not take it for an affront. But the distastes betweene them were already so great, that little could be added to them; and the Pope, when hee was pressed with reasons, which did perswade and disswade, was wont to use the Florentine saying, A thing done hath an Head; and so to execute that which was necessary. Therefore hee wrote to the Legates in Christmas, that they should hold a Session, and publish the Decrees already framed. This commandement being received, they called a Congregation the third of January, in which having determined, by the uniforme consent of all, to imitate a Session for the thirteenth, in regard it was tedious to all, to remaine there so long, and resolve of nothing; the Legates did propose the publication of the Decrees framed. For those of faith, the Emperours Prelates opposed, and said, that there was no opportunity as yet, and that it sufficed to publish the reformation. But the *Papalins* urged the contrary; alledging it was known to all the world, that the point of grace and justification had beene discussed seven moneths together, and that the Decree was established; and that it would be a derogation to the faith, if the Councell should seeme to feare the publishing of the truth, which was decided. And because these were more in number, their opinion, assisted by the Legates, prevailed. The two next Congregations were spent, in reading againe the Decrees, as well of faith as reformation: the which, some small matters being corrected, by the advice of those who were not present at the first, pleased them all. The Legates, accompanied with the Prelates, went to the Church with the usuall ceremonies, on Thursday the thirteenth of January, and held the Session; were *Andreas Cornarus*, Archbishop of *Spalato* sang Masse, *Thomas Stella*, Bishop of *Salpi* did preach; and the Decrees of faith and reformation were read.

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The Popes resolution concerning the proceeding in Councell.

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The Session is held the 13 of January, and the Decrees of faith and reformation are published.

The first contained sixteene Heads, with their prohemes, and thirty three *Anathematismes*. After it had forbid to beleeve, preach, or teach, otherwise then was constituted and expressed in that Decree, it declared in substance, 1. That neither Gentiles, by naturall meanes, nor Jewes, by the letter of *Moyses*, have beene able to free themselves from sinne. 2. Whereupon GOD sent his Sonne, to redeeme the one and the other. 3. Who, though he died for all, yet those onely enjoy the benefit, unto whom his merit is communicated

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nicated. 4. That the juſtification of the wicked, is nothing but a tranſlation from the ſtate of the ſonne of *Adam*, into the ſtate of the adopted ſonne of God by JESU CHRIST, which, after the publication of the Goſpel, is not done without Baptiſme, or the vow thereof. 5. That the beginning of Juſtification, in men of age, proceedeth from preventing grace, which inviteth to diſpoſe themſelves, conſenting, and cooperating with it freely: which they do willingly and might refuſe. 6. The manner of the preparation, is firſt to beleeve, willingly, the divine revelations, and promiſes, and knowing ones ſelfe to be a ſinner, to turne from the feare of Gods Juſtice to his mercie, to hope for pardon from him, and therefore to begin to love him, and hate ſinne: and finally, purpoſing to be baptized, to begin a new life, and keep the Commandements of God. 7. That juſtification followeth this preparation, which is not only a remiſſion of ſinnes, but ſanctification alſo; and hath 5. cauſes: the finall, the glory of God, and eternall life: the efficient, God: the meritory, CHRIST: the inſtrumentall, the Sacraments: and the formall, juſtice, given by God, received according to the good pleaſure of the holy Ghoſt, and according to the diſpoſition of the receiver, receiving, together with remiſsion of ſinnes, faith, hope, and charitie. 8. That when Saint *Paul* ſaith, that man is juſtified by faith, and *gratis*, it ought to be underſtood, becauſe faith is the beginning, and the things that precede juſtification are not meritorious of grace. 9. That ſinnes are not pardoned to him that vaunteth, and repoſeth himſelfe onely in the confidence, and certainty of the remiſsion. Neither ought it to be ſaid, that onely faith doth juſtifie, but every one as he ſhould not doubt of the mercie of God, the merits of CHRIST, and efficacie of the Sacraments, ſo, in regard of his owne indiſpoſition he may doubt, becauſe he cannot know by certainty of infallible faith, that he hath obtained grace. 10. That the juſt are more juſtified by obſerving the Commandements of God and the Church. 11. That it cannot be ſaid, that the Commandements of God are impoſſible to the juſt, who, though he fall into veniall ſinnes, yet ceaſeth not to be ſo; that no man ought to relie on faith onely, nor ſay, that the juſt ſinneth in every good action, or committeth ſinne, if he do any thing for reward. 12. That no man ſhould preſume he is predeſtinated, beleeving that the juſtified can ſinne no more, or ſinning, can promiſe himſelfe repentance. 13. That no man can promiſe to himſelfe abſolute certaintie to perſevere untill the end, but ſhould put his hope in the aſſiſtance of God, who will continue, if man faile not. 14. That thoſe that are fallen into ſinne may againe receive grace, being ſtirred up from above to recover it by repentance, which differeth from *baptiſme*, becauſe it containeth not only contrition, but ſacramental confeſſion, Prieſtly abſolution, at the leaſt in vow, and ſatisfaction beſides for the temporall puniſhment, which is not alwayes remitted altogether, as in baptiſme. 15. That the grace of God is loſt, not onely by infidelity, but by any mortall ſinne, though faith bee not loſt by it. 16. It propoſeth to the juſt the exerciſe of good works, by which eternall life is gained, as grace promiſed by the mercie of God, and a reward due to good works by the divine promiſe. And it concludeth that this doctrine doth not eſtabliſh any juſtice of our owne, refuſing the juſtice of God, but the ſame is ſaid to bee

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ours, becauſe it is in us, and of God, being infuſed by him for the merit of Christ. In fine, to make every one underſtand not onely the doctrine to be followed, but that alſo which is to be avoided, it addeth Canons, againſt him that ſaith. 1. That a man may bee juſtified without grace, by the ſtrength of humane nature, and doctrine of the Law. 2. That grace is given to live well with greater facilitie, and to merit eternall life, as if Free-will can do it, but with difficultie. 3. That a man may beleeve, love, hope, or repent, as he ought, without the prevention, or aſſiſtance of the holy Spirit 4. That Free-will, excited by God, doth not cooperate, to diſpoſe us to grace, nor can diſſent, though it would. 5. That after the ſinne of *Adam* Free-will is loſt. 6. That it is not in the power of man to do ill, but as well bad as good works are done, not onely by Gods permiſſion, but by his owne proper working. 7. That all works, done before juſtification, are ſinnes, and that a man ſinneth the more, by how much the more he laboureth to diſpoſe himſelfe unto grace. 8. That the feare of hell, which maketh us abſtaine from ſin, and to flie to the mercy of God, is ſinne. 9. That the wicked is juſtified by faith onely, without preparation proceeding from the motion of his will. 10. That man is juſtified without the juſtice by which Christ did merit for us, or is formally juſt by that. 11. That he is juſtified onely by the imputation of the juſtice of Christ, or onely by remiſſion of ſinnes without inherent grace and charity; or that the grace of juſtification is onely the favour of God. 12. That juſtifying faith is nothing but confidence in the mercy of God, who remitteth ſinnes for Christ. 13. That, for remiſſion of ſinnes, it is neceſſary to beleeve they are remitted, not doubting of ones owne indiſpoſition. 14. That man is abſolved and juſtified, becauſe he doth firmely beleeve it. 15. That hee is bound by faith to beleeve that hee is in the number of the predeſtinated. 16. That one may be certaine he hath the gift of perſeverance, without ſpeciall revelation. 17. That onely that the predeſtinated obtaine grace. 18. That the Commandements of God are impoſſible to the juſt. 19. That there is no other Evangelicall precept but of faith. 20. That the juſt and perfect man is not bound to obſerve the Commandements of God and the Church, or that the Goſpel is a promiſe without condition of obſerving the Commandements 21. That Christ is given for a Redeemer, not for a Law-maker. 22. That the juſtified may perſevere without the ſpeciall aſſiſtance of God, or cannot with it. 23. That the juſt cannot ſinne, or can avoyd all veniall ſinnes, without a ſpeciall priviledge, as the Church holdeth of the Virgin. 24. That juſtice is not preſerved and increaſed by good works, but that they are fruits onely or ſignes. 25. That the juſt ſinneth mortally, or venially, in every work. 26. That the juſt ought not to expect a reward for his good works. 27. That there is no mortall ſinne but infidelity. 28. That grace being loſt, faith is loſt alſo; or that the faith remaining is not true nor of a Chriſtian. 29. That man ſinning after baptiſme, cannot bee lifted up by the grace of God, or may recover it by faith onely, without the Sacrament of penance. 30. That every fault and puniſhment is wholly remitted to every penitent man, there remaining no temporall puniſhment, to bee indured in this life, or in Purgatory. 31. That the

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the juſt ſinneth, if he do good onely in hope of an eternall reward. 32. That the good works of the juſt, are the gifts of God, and are not withall the merits of the juſtified. 33. That this doctrine is derogatory to the glory of God, and merits of CHRIST, or that their glory is not made more illuſtrious by it.

The Authors reaſon why he rehearſeth the Decrees though they be printed in a volume apart.

When I had made this ſhort narration of the Decree, I began to thinke it ſuperfluous, ſeeing all the Decrees of that Councell are printed in one volume, and in every mans hands, and that in the compoſition of the Acts that follow, I might referre my ſelfe to that book: and I was about to teare this leafe. But conſidering that ſome might deſire to read the whole continuation in one book onely, and that if any thought it better to ſee the originall, he might omit this mine abbreviation, I reſolved not to change, but to obſerve the ſame ſtile in the matters following: and the rather, becauſe I am grieved, when, in *Zenophon* and *Tacitus*, I ſee the narration of things, moſt knowne to their times, omitted, which remaineth unknowne to me, becauſe there is no meanes to know it againe: and I hold it for a maxime, that one ought never to referre himſelfe to another. Therefore I come to the ſumme of the Decree of reformation,

The Decree of reformation.

Which did containe in ſubſtance; 1. That the Synod being willing to amend the depraved manners of the Clergie and people, thought fit to begin with the governours of the greater Churches. Therefore truſting in God, and his Vicar on earth, that, that charge ſhall be given to worthy men, exerciſed from their youth in Eccleſiaſticall diſcipline, it doth admoniſh them to performe their duty, which cannot bee executed without reſiding in the place, where it is to bee done: Yet many, leaving the flock, and care of the Lambs, wander in Courts, and apply themſelves to ſecular buſineſſe. Therefore the Synod doth revive all the ancient Canons againſt non-reſidents, and doth conſtitute beſides, that every governour of a Cathedrall Church, of what title or preeminencie ſoever, who ſhall remaine ſix moneths together out of his Dioceſſe, without a juſt and reaſonable cauſe, ſhall loſe the fourth part of the revenues; and if hee perſevere ſix moneths more, ſhall loſe another fourth part, and the contumacie increaſing, the Metropolitan, upon paine of not entring into the Church for three moneths, ſhall delate him to the Pope, who, by his ſupreme authority, may inflict greater puniſhment, or provide the Church of a more profitable Paſtor. And if the Metropolitan ſhall likewiſe offend, the moſt ancient Suffragan ſhall be bound to denounce him.

2. But others, inferiours to Biſhops, tyed to reſidence either by law or cuſtome, ſhall be compelled thereunto by the Biſhops, abrogating every priviledge which giveth a perpetuall exemption from reſiding. But diſpenſations granted for a time, for a reaſonable cauſe, true, and proved before the Ordinary, ſhall remaine in force, and the Biſhop, as Delegate of the Apoſtolike Sea, ſhall take care that a ſufficient Vicar be provided for the Charge of ſoules, with a convenient portion of the revenues, notwithſtanding any priviledge or exemption.

3. Beſide that no Clerk, by perſonall priviledge, or regular dwelling out of the Monaſterie, by priviledge of his order, ſhall bee exempt from being

being puniſhed, if he offend, or viſited, or corrected by his Ordinary. 1547

4. Likewiſe that Chapters of Cathedrall and other Collegiate Churches, ſhall not, by vertue of exemption, cuſtomes, oaths, and agreements, be freed from the viſitation of their Biſhops, and greater Prelats, when there ſhall be need. PAUL 3. CHARLES 5. HENRY 8. FRANCIS 1.

5. In fine, it did ordaine that no Biſhop might exerciſe Pontificall Acts in the Dioceſſe of another, by pretence of priviledge without his leave, and onely over his ſubjects. And the day of the next Seſſion was appointed the third of March. The next Seſſion to bee held the third of March.

In *Rome*, the Decree of faith miniſtred no matter of diſcourſe, in regard it was not new, as well becauſe it had beene ſeene, and examined publikely (as hath beene ſaid) as becauſe all men knew that the Germane opinions were to bee condemned. But the Court Biſhops, who had beene afraid a long time of the Article of reſidencie, which was handled, did reſt content, aſſuring themſelves that the Decree of the Councell could work no greater effect, then the Popes Decretals had done before. But the inferiour Courtiers were diſcontented, ſeeing the Biſhop had power to compell them. They lamented their owne miſery, who were to ſerve all their life to gaine their living, and after ſo much paines taken, for a reward, muſt be confined in a Village, or, by a baſe Canonry, ſubjected to a greater ſlavery, in obeying the Biſhops, who will not onely keep them, as it were, tyed to a ſtake, but with viſitations, and pretence of corrections, will bring them to a miſerable ſubjection, or hold them in perpetuall vexations, and charge. The inferiour Courtiers are diſcontented with the reformation.

But elſewhere, and eſpecially in *Germany*, when the Decrees were ſeene, that of faith was more ſpoken of: which muſt bee read over and againe, with much attention and ſpeculation, becauſe it could not bee underſtood without a perfect knowledge of the inward motion of the mind, and without knowing in whom it is active, in whom paſſive, things moſt ſubtile, and, for the divers appearance they make, ever accounted diſputable; all the doctrine of the Councel turning upon this hinge, whether the firſt object of the will work upon the will, or the will upon the object, or whether they be both active and paſſive. Some pleaſant wits ſaid, that if the Aſtrologers, not knowing the true cauſes of the celeſtiall motions, to ſalve the appearances, have invented *Eccentriques*, and *Epicicles*, it was no wonder if the Councell, deſiring to ſalve the appearances of the ſuper-celeſtiall motions, did fall into *excentricitie* of opinions. The Grammarians did not ceaſe to admire & ſcoffe the artifice of that propoſition, which is in the fifth Chapter, *Neque homo ipſe nihil omnino agat*; which they ſaid was not intelligible, and without example. For if the Synod would ſignifie: *Etiam homo ipſe aliquid agat*; it might ſay ſo plainly, as is fit to do in matter of faith, where the more ſimple expreſſion is the better; and if they would uſe an elegancie, they might ſay, *Etiam homo ipſe nibil agat*. But the word (*omnino*) being interpoſed, that ſpeech is incongruous and without ſenſe, as all are which have two negatives that cannot be reſolved into an affirmative. For to reſolve that, one muſt ſay, *Etiam homo ipſe aliquid omnino agat*, which is incongruous, and not to be underſtood, what *aliquid omnino* may ſignifie here. For it would ſay that The Decrees are cenſured in *Germany*.

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that a man hath an action in a certaine kinde, which in another kinde is no action.

The Fathers were defended, by ſaying, that to examine the forme of Speech ſo ſeverely, was nothing but to cavill. Whereunto they replyed, that a gentle interpretation was due unto uſuall formes of ſpeech, but that it is a publike utility to diſcover the artifice of him, that, leaving the cleere and uſuall phraſes, inventeth thoſe that are incongruous, and containe in them contradiction, to cavill, and to play on both ſides.

Thoſe that underſtood Theologie, ſaid, that the doctrine, that a man may alwaies refuſe divine inſpirations, was contrary to the publike, and ancient prayer of the Church. *Et ad te noſtras etiam rebelles compelle propitius voluntates*: which is not fit wee ſhould ſay is a vaine deſire, but that it is made by faith, as S. *James* ſaith, and granted by God to his elected. They added that one could no more ſay with S. *Paul*, that it commeth not from man which doth ſeparate the veſſell of wrath from thoſe of Gods mercie, that which ſeparateth being that humane, *Non nihil omnino*. Many did conſider that place of the ſeventh Chapter, where it is ſaid, Juſtice is given by meaſure, according to the good pleaſure of God, and the diſpoſition of the receiver; both which things cannot be true. For if it pleaſed God to give more to him that were leſſe diſpoſed, it would not be by meaſure of the diſpoſition; and if it bee by the meaſure of that, there is alwayes the motive by which God worketh, and doth not uſe his good pleaſure. They marvelled that thoſe were condemned, who ſaid that the precepts of God were impoſſible to be kept; ſeeing that the ſame Councell, in the Decree of the ſecond Seſſion, exhorteth the faithfull aſſembled in *Trent*, that, repenting, confeſſing, and communicating, they ſhould obſerve the Commandements of God *Quantum quiſquis poterit*. Which modification would be impious, if the juſtified could keep them abſolutely; and they noted that the ſame word, *Præcepta*, was there, to take away all cavill.

Thoſe that were read in the Eccleſiaſticall Story, ſaid, that in all the Councels, held in the Church, from the Apoſtles time untill now, there were never ſo many Articles decided as in this Seſſion onely, in which *Ariſtotle* had a great part, by having exactly diſtinguiſhed all the kindes of cauſes; which if hee had not done, wee had wanted many Articles of Faith.

The Polititians alſo, though they ought not to examine matters of Religion, but ſimply follow them, yet found matter of diſcourſe in this Decree. For ſeeing in the tenth Chapter, the Obligation of obeying the Commandements of God and the Church, and the ſame replied in the twentieth Canon, they were ſcandalized, becauſe there was no mention of Obligation to the commandements of Princes and Magiſtrates. They ſaid that obedience unto theſe is more plainely ſet downe in the Scripture; that the old Law is full of it; that the doctrine is cleere in the new Teſtament, expreſſed, and handled at large by Christ himſelfe, by Saint *Peter*, and Saint *Paul*. That there is found an expreſſe Obligation to heare the Church, but none expreſſe to obey it. He is obeyed who commandeth of his owne power, and hee is heard who doth promulgate that which belongeth to another man. Neither

ther were theſe men ſatisfied with the excuſe, that the commandements of Princes are included in thoſe of God, and that obedience is due unto them, becauſe God hath commanded they ſhould bee obeyed. But they replyed, that, by this reaſon, the Church rather ought to be omitted; and ſaid that the Church was expreſſed, and the Princes paſſed over in ſilence, to breed (according to the ancient ſcope of the Eccleſiaſtiques) that pernitious opinion, that men are bound to obey them for conſcience ſake, and Princes and Magiſtrates onely for feare of temporall puniſhments, and that otherwiſe their commandements may bee tranſgreſſed without reſpect, and ſo to cauſe every government to bee hated, accounted tyrannicall, and ſubverted; and, by deſcribing the ſubjection unto Prieſts to be the onely principall way to gaine heaven, to draw all juriſdiction to themſelves, and, by conſequence, all authority. 1547 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1

The Decree of reformation was ſaid to be a meere illuſion. For to truſt in God and the Pope that proviſion ſhould bee made of perſons worthy to governe the Churches, belongeth rather to him that prayeth, then to him that reformeth. To renew the ancient Canons with one word onely, and one ſo generall, was more to confirme the diſuſe of them: but if they would reſtore them in earneſt, they ſhould remove the cauſes which have buried them in ſilence, give them ſtrength by penalties, and deputation of thoſe that ſhould put them in execution, and ſhould uſe other meanes which do revive, and preſerve Lawes. In fine it was ſaid to have done nothing but eſtabliſh that one might be abſent all the yeare, by loſing halfe the revenewes, or rather one was taught how hee might not reſide eleven moneths and more, without any puniſhment, by interpoſing thoſe thirty dayes or fewer, in the midſt of the other time of the yeare; that the Decree was wholly deſtroyed, with the exception of juſt and reaſonable cauſes, which no man is ſo ſimple as not to finde, being to have Judges for whom it will bee profitable not to have reſidencie practiſed.

This place requireth that mention ſhould be made of a particular accident, which, then begun, though it ended not untill after foure moneths, belongeth wholly to the preſent Seſſion, and maketh knowne what the Councel was, and in what eſtimation it was had, by thoſe that aſſiſted in it. For the underſtanding whereof, I will repeat that Friar *Dominicus Soto*, who had (as hath been ſaid) a great part in the Synod, in framing the Decrees of originall ſinne, and juſtification, having noted all the opinions and reaſons uſed in thoſe diſcuſsions, thought to communicate them unto the world, and to draw the words of the Decree to his owne meaning, printed a book containing the whole together, and did intitle it *De natura & gratia*, and did dedicate it, with an Epiſtle, to the Councell, to bee (as hee ſaid in the dedication) a Commentary of the two foreſaid Decrees. Comming to the Article of the certainty of grace, hee ſaid in a long diſcourſe, that the Synod had declared, that a man cannot know he hath grace by ſo great certainty, as is that of faith, excluding all doubt. *Catarinus*, newly made Biſhop of *Minori*, having defended the contrary, and ſtill perſevering, did print a little book, with an Epiſtle Dedicatory to the ſame Synod; the ſcope whereof was, to maintaine that the Councels meaning was not to condemne the

Soto and *Catarinus* publiſh Books one againſt another concerning the meaning of the Councell; and the Fathers are much divided.

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opinion of him that ſaith a juſt man may know hee hath grace, as certainly as he knoweth the Articles of Faith to bee true: yea, that the Councell hath decided that he is bound to beleeve it, becauſe in the ſix and twentieth Canon, it hath condemned him that ſaith that the juſt man ought not to hope for, and expect a reward, it being neceſſary, that hee that ought to hope as a juſt man ſhould know hee is ſo. In this contrariety of opinions, both writing affirmatively to the Councell, either of them did not onely ſay, that his opinion was the opinion of the Synod, but afterwards wrote alſo and printed Apologies, and Antipologies, making complaints to the Synod the one of the other, of attributing that to it, which it never ſaid, bringing divers teſtimonies of the Fathers to prove their owne opinion: who bare witneſſe, ſome for one, ſome for another; ſo that the Fathers were all divided into two parts, except ſome good Prelats, who as neutrals, ſaid, that they underſtood not the difference, but gave conſent to the Decree, in the forme as it was publiſhed, becauſe both the parties were agreed. The Legat *Santa Croce* did teſtifie for *Catarinus*. *Monte* ſaid, he was of a third party. This ſeemed to put all men out of hope to underſtand the meaning of the Councel, ſeeing the principall men that were preſent in it, did not agree. And it doth raiſe a difficulty, what that Synod was that determined the Article, unto which *Soto* and *Catarinus* did write and appeale, each thinking it was on his ſide; ſo that it was neceſſary, that either one of them, or both ſhould bee deceived. And what ſhall one think of the others, when it ſo happened to theſe? It might bee ſaid, it was the aggregate of altogether, unto which the holy Ghoſt giving aſſiſtance, made it to determine the Truth, though not underſtood by him that did determine it; as *Caiphas* did propheſie, becauſe hee was high Prieſt, not underſtanding the propheſie, as the Biſhop of *Bitonto* ſaid in his Sermon. But this anſwer had two oppoſitions; the one, that God made the reprobate and infidels propheſie, without underſtanding, but the faithfull, by illuminating their minde; the other, that the Divines do uniformely ſay, that Councels do not deliberate of faith by divine inſpiration, but by humane diſquiſition, which the Spirit doth aſſiſt, to keep them from errors, ſo that they cannot determine, without underſtanding the matter. Perhaps he ſhould hit upon the truth, that ſhould ſay, that, debating the contrary opinions in framing the Decree, every party did refuſe words contrary to his opinion, and all reſted in thoſe which he thought might be fitted to his owne meaning: ſo that the expreſſion of the matter became capable of divers interpretations. But this would not ſerve to reſolve the doubt propoſed, and to finde what the Councel was; becauſe it is to give it unity of words, and contrariety of meanings. But that which hath beene related in this particular, and perhaps did happen in many matters, occurred not in condemning the Lutheran opinions, where all did agree, with an exquiſite unity.

Councels do deliberate of faith, not by divine inſpiration, but by humane diſquiſitions.

All agreed in condemning the Lutheran opinions.

One advertiſement of the ſame *Catarinus* concerning this matter, written to the Synod in the ſame book, is not to bee omitted, the Author deſerving not to be defrauded of his invention. He conſidered that it was a repugnancie, to ſay that a man doth receive grace voluntarily, and that hee is not certaine he hath it, becauſe no man can receive a thing voluntarily, which hee knoweth not to be given him, and without being ſure he hath received it.

An advertiſement given by *Catarinus*.

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But to returne to the Councell, the day after the Session a generall Congregation was assembled, to deliberate of, and put in order the matter to be digested in the next Session, and for matter of faith, it being already determined to follow the confession of *Ausburg*, the first point was of Ecclesiasticall ministery, which the Lutherans say is authority to preach the Gospel, and to administer the Sacraments, and some resting upon the first part, did propose that the Ecclesiasticall authority should bee handled, declaring all those functions, spirituall and temporall, which God hath given them over the faithfull, and are denied by the Lutherans. And this did generally please the Prelats, because it was a matter of an easie understanding, without any crabbednesse of the Schoole, and where themselves might have a part. But it was not gratefull to the Divines, because those things were not handled in the Schooles, so that they should have nothing to dispute, and must referre themselves for the most part to the Canonists. They said that the Augustans do not handle all Ecclesiasticall authority, but that onely of preaching; whereof there was as much decreed in the last Session as was sufficient; but in the second part there was matter that did cohere with justification, that is, the Sacraments, which are the meanes to bee justified, and said it was more fit to make these the subject of the next Session. The Legats, and their dependants adhered hereunto, in shew for the same reasons, but indeed for another more potent, because, in the other consideration, they might have handled the authority of Councels, and of the Pope, and proposed many hard matters, not fit to be moved.

The subject of the next Session is the Sacraments. The Legates desire to prevent the handling of the authority of the Councell and Pope.

Having resolved to handle the matter of the Sacraments, it was considered that it was various and ample, not possible to bee comprehended in a Session, nor easie to be determined into how many parts it ought to be divided. The Augustans made it short by taking away foure Sacraments of which they ought to treat more exactly, to reestablish them; therefore that it was good to begin to discusse the Sacraments in generall, and charge was given to put in order the Articles drawn out of the Lutheran doctrine, descending also to the Sacraments in particular, of as many as seemed easie to discusse: and that the reformation might follow the definition of faith and doctrine, the abuses, occurring in the minister of the Sacraments, should be put together, ordaining a Congregation of Prelats and Canonists to discourse of the remedies, and to frame the Decrees, with order, that if they both happned on the same day, *Santa Croce* should bee President of the Theologues, and *Monte* of the Canonists, and both together in the generall Congregation. But beside this, in regard of the promise to continue the matter of residencie, some of the most principall Articles thereof were to bee handled. In this it was not so easie to agree, because the Legats and their adherents had contrary ends to the other Bishops.

These began to hope, and to aime, almost all, but especially the Spaniards, to regaine the Episcopall authority, which anciently every one did exercise in his owne Dioces, when the reservations of Benefices, of Cases, or of Absolutions, Dispensations, and the like were unknowne, which they were wont to say in private discourse, when few were present, that ambition and avarice had made proper to the Court of *Rome*, under a fained colour to

The Spanish Prelates hope to regaine Episcopall authority.

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mannage them better, and more to the publike ſervice of God, and the Church, throughout all Chriſtendome, than the Biſhops could do in their owne Cities, in regard of their imperfection and ignorance. But it was not ſo, becauſe diſſolution and ignorance did not enter into the Epiſcopall order, untill they were compelled to go as ſervants to *Rome*. But if bad government were then ſeene in the Biſhops, which cauſed their authority to be taken away, now it may be ſeene to be worſt of all in the Court of *Rome*; ſo that, by the ſame reaſon, that mannagement ought to be taken away which is not proper to it, but much abuſed by it.

Card. *Monte* doth cunningly divert the deciſion of reſidence.

The Decree, that reſidencie was required by the Law of God, was eſteemed by theſe Prelats the beſt remedy for the diſeaſe paſt, and preſervative againſt hereafter. For if God hath commanded Biſhops to reſide perpetually with the flock, it followeth neceſſarily that he hath alſo preſcribed them the charge, and given them power to exerciſe it well. Therefore the Pope cannot call them, or buſie them in ought elſe, nor diſpence with them, nor reſtraine their authority, given them by God. Therefore they deſired to proceed to the determination, ſaying, it was neceſſary to reſolve the Article, becauſe it was ſufficiently diſcuſſed. The Cardinall of *Monte* having premeditated before, let them ſpeak who were moſt earneſt, that part of the heat might exhale; then he oppoſed himſelfe dexterouſly, and ſaid, it was neceſſary to do it, becauſe the world did expect it, but that they ought to do it in a fit time; that the difficultie was handled with too much heat, and that in ſome it had ſtirred more paſſion then reaſon; ſo that it was neceſſary to let the fervour be cooled, and to interpoſe a little time, that, the contentions being forgotten, and charity revived, place may be given to the holy Ghoſt, without which the truth cannot be decided. That the Popes Holineſſe, who hath underſtood, to his griefe, the former contentions, deſireth the ſame, that himſelfe alſo may diſcuſſe the matter in *Rome*, and aſſiſt the Synod with his counſell. He concluded, with more reſolute termes, then ſo modeſt a beginning ought to inferre; that no more ſpeech ſhould bee had of it before the Seſſion, becauſe the Popes will was reſolutely ſo, but that they ſhould attend to reforme the inconveniences which have cauſed the abuſe of not reſiding. This mixture of remonſtrances and power made ſome of the Fathers, who afterwards did print treaties concerning this matter, ſay, and put in print, that the Legates did forbid to ſpeak of this queſtion; and others denied it, with an invective againſt the firſt, ſaying, they derogated from the liberty of the Councell. In the end of the Congregation it was reſolved to reſume the things that remained to bee diſcuſſed in the laſt Seſſion, and to treat of removing the impediments, which are the cauſes of not reſiding. Amongſt which the moſt principall being pluralitie of Benefices, in regard it was impoſſible to reſide in many places, it was reſolved to treat of that

But to avoid confuſion, I will relate withall that which belongeth to the Sacraments, where the conſideration, for the moſt part, was ſpeculative and doctrinall, not to interrupt the order of the matter of Benefices, wherein ſome things hapned which did open a way to important and dangerous actions. Articles were framed by the deputies in matter of the Sacraments, and the

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manner of ſpeaking of them was preſcribed to the Divines, communicated to all in a ſheet of paper, with order that they ſhould ſay, whether they were all hereticall or erroneous, and ought to be condemned by the Synod; and if any deſerved not that ſentence, they ſhould alleadge their reaſons and authority; and after ſhould declare what was the opinion of Councels, and of the holy Fathers, in all thoſe, and which of the Articles have beene reproved already, and which remaine to be condemned: and if in this matter any one ſhould finde out ſome other Article worthy of cenſure, hee ſhould give notice thereof, and avoid impertinent queſtions in all, wherein one might diſpute on both ſides, without prejudice of faith, and all other ſuperfluity and tediouſneſſe of words. 1547 PAUL 3. CHARLES 5 HENRY 8. FRANCIS 1.

Of the Sacraments in generall there were foureteene Articles. 1. That the Sacraments of the Church are not ſeven but fewer, which may bee called truely Sacraments. 2. That the Sacraments are not neceſſary, and that men may obtaine the grace of God without them, by faith onely. 3. No Sacrament is more worthy then another. 4. That the Sacraments of the new Law do not give grace unto thoſe, who do not reſiſt. 5. That the Sacraments have never given grace or remiſſion of ſinnes, but onely the faith of the Sacrament 6. That immediatly after the ſinne of *Adam*, the Sacraments were inſtituted by God, by meanes whereof grace was given. 7. By the Sacraments, grace is given to him onely, who beleeveth that his ſinnes are remitted. 8. That grace is not given alwayes in the Sacraments, nor unto all, in reſpect of the Sacrament it ſelfe, but onely when and where it pleaſeth God. 9. That in no Sacrament a *Character* is imprinted. 10. That a bad Miniſter doth not conferre the Sacrament. 11. That all Chriſtians of what ſex ſoever, have equall power in the miniſtery of the word of God and Sacraments, 12. That every Paſtour hath power to make long, or ſhort, or change at his pleaſure, the formes of the Sacraments. 13. That the intention of the Miniſters is not neceſſary, and worketh nothing in the Sacraments. 14. That the Sacraments have beene inſtituted onely to cheriſh faith. Fourteene Articles of the Sacraments in generall.

Of Baptiſme there were ſeventeene Articles. 1. That in the Romane Catholique Church, there is no true Baptiſme. 2. That Baptiſme is free, and not neceſſary to ſalvation. 3. That it is not true Baptiſme which is given by Heretiques. 4. That Baptiſme is repentance. 5. That Baptiſme is an externall ſigne, as the red mark in the Lambs, and hath no part in juſtification. 6. That Baptiſme ought to be renewed. 7. That true Baptiſme is faith, which beleeveth that ſinnes are remitted to the penitent. 8. That in Baptiſme ſinne is not rooted out, but onely not imputed. 9. That the Baptiſme of CHRIST and *John*, have the ſame vertue. 10. That the Baptiſme of CHRIST hath not made void that of *John*, but hath added the promiſe unto it. 11. That in Baptiſme the immerſion onely is neceſſary, and all other things being free, may bee omitted without ſinne. 12. That it is better to omit the Baptiſme of children, then baptize them while they do not beleeve. 13. That children ought not to bee baptized, becauſe they have not proper faith. 14. That thoſe that are baptized in their childhood, comming to the age of diſcretion, ought to bee baptized, becauſe they have Seventeene Articles of Baptiſme.

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not beleeved. 15. That thoſe that have beene baptized in their infancie, when they come to age, ought to be interrogated, whether they will ratifie that Baptiſme, and, if they deny, ought to be left in liberty. 16. That ſinnes committed after Baptiſme are remitted, onely by the memory and faith that one hath beene baptized. 17. That the vow of Baptiſme hath no other condition but of faith, yea, nullifieth all other conditions.

Foure Articles of confirmation.

Of confirmation there were foure Articles. 1. That Confirmation is not a Sacrament. 2. That it is inſtituted by the Fathers, and hath no promiſe of the grace of God. 3. That now it is an idle ceremonie, and formerly was a Catechiſme, when children, comming to age, gave an account of their faith, before the Church. 4. That the miniſter of Confirmation is not the Biſhop onely, but any Prieſt whatſoever.

All agree that there are ſeven Sacraments, but not that there are no more. Reaſons to prove the number of ſeven.

In the Congregations, all the Divines agreed, in affirming the number of ſeven, and condemning the contrary opinion as hereticall, in regard of the generall conſent of the Schooles, beginning from the Maſter of the Sentences, (who ſpake definitively thereof) untill this time. To this they joyned the Decree of the Florentine Councell for the Armenians, which determineth that number, and, for greater confirmation, the uſe of the Romane Church was added; whence they concluded, that it ought to be held for an Apoſtolicall tradition, and Article of Faith. But, for the ſecond part of the Article, all did not agree, ſome ſaying it was enough to follow the Florentine Councell, which paſſed no further. For to decide that the proper Sacraments are neither more nor fewer, doth preſuppoſe a deciſion of the true and proper eſſence, and a definition of the Sacrament; a thing difficult, in regard of the many definitions, brought not onely by the Schoolemen, but by the Fathers alſo, of which one will make that to be a Sacrament, which another doth not. That it is a queſtion alſo amongſt the Schoole-men, whether the Sacrament can be defined, whether it have unity, whether it be reall, or intentionall: and that it is not reaſonable, in ſuch ambiguity, to tye concluſions with ſo ſtrong a band. It was remembred, that Saint *Bernard*, and Saint *Cyprian*, accounted the waſhing of feet a Sacrament, and that Saint *Auſtin* made every rite, by which God is honoured, to bee a Sacrament: and elſewhere underſtanding the word more ſtrictly then the propriety doth comport, maketh Sacraments onely thoſe, which are expreſſely mentioned in the New Teſtament; which are Baptiſme, and the Euchariſt onely, though he doubteth in one place, that there is another.

For the other part it was ſaid, that it was neceſſary to eſtabliſh for an Article, that the proper Sacraments, are neither more nor leſſe, to repreſſe the boldneſſe as well as the *Lutherans*, who make them ſometimes two, ſometimes three, ſometimes foure, as alſo of thoſe who exceed ſeven; and if ſometimes a greater number, and ſometimes a leſſe, be found in the Fathers, it was becauſe then, before the determination of the Church, it was lawfull to uſe the word in a more large, or more ſtrict ſignification. And here, to eſtabliſh the ſufficiencie of this number of ſeven, as the Schoole-men ſpeak, that is, that they are neither more nor leſſe, they were tedious in recounting the reaſons deduced from ſeven naturall things, by which life is gained and preſerved; from the ſeven vertues; from the ſeven capitall vices; from the ſeven

ven defects, which came from originall ſinne; from the ſix dayes of the creation of the world, and ſeventh of reſt; from the ſeven regions of *Egypt*; from the ſeven Planets; from the famouſneſſe of the number of ſeven, and other congruities, uſed by the principall Schoole-men, for proofe of the concluſion; and many reaſons why the conſecration of Churches, of the veſſels of Biſhops, Abbats, Abbeſſes, and Monks, are not Sacraments, nor holy water, nor the waſhing of feet, as Saint *Bernard* ſaid, nor Martyrdome, nor the creation of Cardinals, nor the Coronation of the Pope. 1547 PAUL. 3. CHARLES 5 HENRY 8. FRANCIS 1

Some ſaid, that, to bridle the Heretiques, it was not ſufficient to condemne the Article, if every one of the Sacraments were not particularly named, for feare ſome bad ſpirit might exclude ſome of the true, and ſubſtitute ſome falſe. Afterwards, another eſſentiall point, for the Article, was called to minde, that is, to determine the Inſtitutor of all the Sacraments, which is CHRIST; to condemne the hereſie of the Lutherans, who aſcribe to CHRIST the ordination of Baptiſme, and the Euchariſt onely. And that CHRIST ought to be he held by faith, for the Inſtitutor, Saint *Ambroſe*, Saint *Auſtine*, and above all, the Apoſtolicall tradition was alleadged; from which no man diſſented. But ſome ſaid, they ought not to go on ſo farre, and that it was enough, to keep within the bounds of the Florentine Councell; and the rather, in regard that the Maſter of the Sentences held, that Extreme Unction was inſtituted by Saint *James*, and Saint *Bonaventure*, with *Alexander*, that Confirmation began after the Apoſtles. And the ſame *Bonaventure*, with other Divines, maketh the Apoſtles authors of the Sacrament of Penance. And many have ſaid of Matrimony, that it was inſtituted by God in Paradiſe: And CHRIST himſelfe, when hee ſpake of it, in a place fit to name the author, doth attribute the inſtitution thereof, not to himſelfe, but to the FATHER in the beginning. For theſe reſpects, they adviſed not to adde that point, for feare of condemning the opinion of the Catholiques. The Dominicans on the contrary, did affirme, with ſome bitterneſſe of words, that thoſe Doctors might bee expounded and ſalved, with divers diſtinctions, and that they would ever have referred themſelves to the Church, but the Lutheran boldneſſe ought not to paſſe without condemnation, who have brought in thoſe falſities, with contempt of the Church; and that was not to be tolerated in the raſh Lutherans, which might bee indured in the holy Fathers.

In the ſecond Article, of the neceſſity of the Sacraments, ſome would not have the condemnation to be abſolute, but a diſtinction made, in regard it is certaine, that all are not abſolutely neceſſary. There was another opinion alſo to bee condemned, which ſaid, That the Sacraments were not neceſſarie in the Church, becauſe it is certaine, they are not neceſſary to every one, yea, that ſome are incompatible, as Order, and Matrimonie. Yet the more common opinion was, that the Article ſhould be condemned abſolutely, for two reaſons: one, becauſe the neceſſity of one is ſufficicent to make the Article falſe, as it lieth; the other, becauſe they are all neceſſary in ſome ſort ſome abſolutely, ſome by ſuppoſition, ſome by conveniencie, and ſome for greater utilitie. But many marvelled, that Articles of Faith ſhould bee eſtabliſhed, in ſuch multiplicity of equivocation. For whoſe ſatisfaction, when the

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the Canons were composed, there was added, condemning him that held the Sacraments not to bee necessary, but superfluous; inlarging by this last terme the signification of the first.

Many were of opinion that the other part of the Article ought to be omitted, because it was defined in the last Session, that faith onely was not sufficient: and *Marinarus* said that the distinction of the Sacrament in vow, was used by the Schoolemen, but was unknowne to antiquity, and full of difficulties. For in the *Acts of the Apostles*, when *Cornelius* the Centurion was instructed, the Angel said, his prayers were acceptable to God before hee knew the Sacrament of Baptisme, and other particulars of Faith; and all his family, hearing the Sermon of Saint *Peter*, received the holy Ghost before they had beene instructed in the Doctrine of the Sacraments: and after the holy Ghost received, they were instructed concerning Baptisme by Saint *Peter*; so that having no knowledge of it, they could not receive it in vow; and the Thiefe upon the Crosse, then onely illuminated by the vertue of Christ, knew not the Sacraments, nor could make any vow of them. And many holy Martyrs, converted in the heat of persecution, by seeing the constancie of others, and presently taken and put to death, one cannot say, but by divination, that they knew the Sacraments and could make a vow. Therefore it was better to leave that distinction to the Schooles, and to put it in the Articles of faith. The common opinion was to the contrary, saying, that although the words of the distinction were new and scholasticall, yet one must beleeve that the thing signified was taught by Christ, and is an Apostolicall tradition. And for the examples of *Cornelius*, the Thiefe, and Martyrs, it is to bee understood, that there are two sorts of vowes of the Sacrament; the one explicite, the other implicite; and, at the least, this second is necessary; that is, that they had not the vow actually, but would have had it, if they had beene informed. These things the others granted to be true, but not obligatory, as Articles of faith. The difficulties, in which they could not agree, were referred to the Synod, that is to the generall Congregation.

Concerning the dignity of the Sacraments.

As it hapned also in the third Article, which, though every one thought to bee false, yet all did agree, that in regard of the necessity and utility, Baptisme doth precede; in regard of the signification, Matrimony; in regard of the dignity of the Minister, Confirmation; in regard of divine worship, the Eucharist: but because one cannot say, without a distinction, which is more worthy, it is better to omit the Article, which cannot bee understood without subtiltie. Another opinion was, that all the respects of dignitie ought to bee expressed. And another, that the clause should bee added to the Article, that is, according to the divers respects. This opinion was most followed, but did much displease those, who could not endure that the Synod should abase it selfe to these scholasticall fooleries, (for so they called them) and beleeve that Christ would have these weak opinions brought into his faith.

The fourth Article is generally condemned.

Although that the fourth Article ought to bee condemned; yea, that it was necessary to amplifie it, condemning the doctrine of *Zuinglius* in particular; who will have the Sacraments to be but signes, by which the faithfull

full are discerned from infidels; or Acts, and exercises of the profession of Christian faith, having no other relation to grace, but as signes that one had received it After they treated of condemning those who denie that Sacraments do conferre grace, to him that putteth not a barre, or do not confesse, that grace is contained in the Sacraments and conferred, not by vertue of faith, but *Ex opere operato*. But comming to expound how they are contained, and their causalitie, every one did agree, that grace is gained by all those actions that excite devotion, which proceedeth not from the force of the work it selfe, but from the vertue of devotion, which is in the worker; and these are said in the Schooles to cause grace *Ex opere operantis*. There are other actions which cause grace, not by the devotion of him that worketh, or of him that receiveth the work, but by vertue of the work it selfe. Such are the Christian Sacraments, by which grace is received, so that there bee no barre of mortall sinne, to exclude it, though there be not any devotion. So by the work of Baptisme, grace is given to the infant, whose minde is not moved toward it, and to one borne a foole, because there is no impediment of sinne. The Sacrament of Chrisme doth the like, and that of extreme unction, though the sick man hath lost his memorie. But hee that hath mortall sinne, and doth persevere actually, or habitually, cannot receive grace, by reason of the contrarietie, not because the Sacrament hath not vertue to produce it *Ex opere operato*, but because the receiver is not capable, being possessed with a contrarie quality.

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Whether the Sacraments do conferre grace *Ex opere operato*.

Though they all agreed in this, yet they differed, because the Dominicans did affirme, that how be it grace is a spirituall quality, created immediatly by GOD, yet it is an instrumentall and effective vertue in the Sacraments, which causeth a disposition in the soule to receive it. And therefore it is said that they containe grace, not that it is in them as in a vessell, but as the effect in the cause, alleadging a subtill example, as the chezill is active, not onely in scabling the stone, but in giving forme to the Statue. The Franciscans said that it could not be conceived, how God, being a spirituall cause, can use a corporall instrument for a spirituall effect, as is grace; they did absolutely deny all effective or dispositive vertue in the Sacraments, saying they have no vertue, but by the promise of God, that so often as they shall be administred, he will give his grace to them. Therefore it is said they do containe it, as in an effectuall signe, not by any vertue of their owne, but by a Divine promise of infallible assistance to the ministery. Therefore it is a cause, for that the effect doth follow, not by any vertue of its owne, but by the promise of God, to give grace at that time, as the merit is cause of the reward without any activitie. This they proved not onely by the authority of *Scotus*, and Saint *Bonaventure* their Divines, but by Saint *Bernard* also who saith that grace is received by the Sacraments, as a Canon is invested by the book, and a Bishop by the ring. The reasons were expounded on both sides, with great prolixitie and sharpnesse. And they censured one another. The Dominicans said, that the other opinion was neare to Lutheranisme, and the others, that theirs, being impossible, gave occasion to the hereticks to calumniate the Church. Some good Prelates desired (though

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without effect) to make peace, ſaying, that in regard they agreed in the concluſion, that the Sacraments conteine and are cauſe of grace, it did little import in what manner, and that it was better, not deſcending to particulars, to ſtand in the generall. But the Friars replied that they ſpake not of words, but of eſtabliſhing, or annihilating the Sacraments. There would never have beene an end, if the Legat *Santa Croce* had not given order that they ſhould paſſe to that which remained, and that afterwards they ſhould return to examine whether it were neceſſary to decide the point, or to leave it.

The Legates uſe meanes to repreſſe the dangerous liberty of the Friars.

The Legats called unto them the generals of the orders, and prayed them to cauſe the Friars to treat with modeſty and charity, without partiality to their owne ſect, ſhewing they were called to ſpeak againſt hereſies, and not to make new ariſe by diſputes. And they wrote thereof to *Rome*, ſhewing how dangerous the libertie was which the Friars did aſſume, and to what it might come. And they told the Pope that a moderation was neceſſarie. For there being a fame ſpred of thoſe diſſentions and cenſures which one partie pronounced againſt the other, it muſt needs raiſe ſcandall, and ſmall reputation of the Councell.

It was thought fit to omit the fifth Article, as decided in the former Seſſion. But Friar *Bartholome* de *Miranda* called to minde that *Luther*, by that paradox of his, that the Sacraments do not conferre grace, but by exciting faith, drew alſo a concluſion, that thoſe of the old, and of the Evangelicall law, are of equall vertue; which opinion was to bee condemned, as contrary to the doctrine of the Fathers, and the Church; all having ſaid, that the old Sacraments were onely ſignes of grace, but the new conteine it and cauſe it. No man did contradict the concluſion, but the Franciſcans propoſed, that it ſhould not be ſaid of the old Law, but of *Moſes* Law, in regard that Circumciſion it ſelfe did cauſe grace: but it was not a Moſaicall Sacrament; for Christ alſo ſaid, it was not of *Moſes*, but of the Fathers; and alſo becauſe other ſacrifices, before *Abraham*, did conferre, and cauſe grace. The Dominicans replyed that Saint *Paul* ſaid plainely, that *Abraham* had received the Circumciſion onely for a ſigne; that he being the firſt unto whom it was given, it is as much as to ſay it was inſtituted onely for a ſigne. And the queſtions of the manner of conteining, and cauſing grace, returned into the field. Friar *Gregorie*, and *Padua* ſaid hereupon, that it was a cleare caſe in Logique, that things in the ſame kinde have identitie and difference among themſelves. If the old Sacraments and ours had onely difference, they would not all be Sacraments, but equivocally; if onely identitie, they would bee abſolutely the ſame thing. Therefore they muſt beware to put difficultie in plaine matters for ſome diverſitie of words; and that Saint *Auguſtine* had ſaid, that theſe and thoſe, are divers in the ſigne, but equall in the thing ſignified. And in another place, that they were divers in the viſible *ſpecies*, but the ſame in the intelligible ſignification; and that elſewhere he puts a difference, that thoſe were *promiſſive*, and theſe *demonſtrative*: which another doth expreſſe in another terme, that thoſe were *prænunciative*, and theſe *conteſtative*. Whence it plainly appeareth, that they agree and differ in many things; which no ſenſible man can deny: and therefore it was wiſdome, not to put that Article in the beginning, neither was it to

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any purpose to touch it in the present Decree. Another opinion came forth, that the opinion of the Lutherans and Zuinglians was to be condemned, without descending to the particulars. For they say, there is no difference betweene the old and new Sacraments, but in the Rites. But it hath beene shewed, that there are other differences; and therefore, they are to be condemned for this onely, without descending to shew what those differences are. 1547 PAUL 3. CHARLES 5 HENRY 8. FRANCIS

But the sixt was censured by the Dominicans, who said it was proper to the Evangelicall Sacraments to give grace, and that the old did not give it, but onely by the vertue of devotion: and that this was the opinion of Saint *Thomas*. They alleadged, for a principall ground, the determination of the Florentine Councell, that the Sacraments of the old Law did not cause grace, but did figure that it must be given by the passion of CHRIST. But because Saint *Bonaventure*, and *Scotus* did maintaine, that the Circumcision did confer grace *Ex opere operato*, *Scotus* adding, that, immediatly after the sin of *Adam*, a Sacrament was instituted, in which a grace was given to babes by vertue of it, that is *Ex opere operato*; the Franciscans said the Article was true, and could not bee censured; and that if, as Saint *Thomas* said, children, before CHRIST, were saved by the fathers faith, the state of Christians was worse. For now the fathers faith doth not help the Children without baptisme; and S. *Austine* saith, that the child that is carried by the father to bee baptized, if hee die in the way, is damned. So that if faith onely did then suffice, the condition of the sonnes of Christians is now worse. In these difficulties, many did propose, that the Article, as probable, should be omitted.

To leave out the seventh and eighth, there was a great agreement. But in the ninth, of the Character, Friar *Dominicus Soto*, endeavoured to declare, that it hath foundation in the holy Scripture, and hath ever bin held in the Church for an Apostolicall Tradition: and though the name hath not beene used by the Fathers, yet the thing signified is most ancient. Others did not grant him so great a scope, because it did not appeare, that *Gratian*, or the Master of the Sentences, had made any mention thereof. Yea, *John Scotus* said, that it was not necessary, by the words of the Scripture, or of the Fathers, to affirme it, but onely by the authority of the Church; a thing usuall with that Doctor, to deny things with a kinde of courtesie. It was worth the knowing what thing they meant it should bee, and where situated; in such multiplicity of Schoole-opinions: some making it a quality, and amongst those were foure opinions, according to the foure kinds of the qualities; some a spirituall power; some an habite or disposition; others a spirituall figure; and the opinion that it was a sensible metaphoricall quality, did not want abettors. Some would have it a reall relation; some, a fabrique of the minde; who were to declare how farre it differed from nothing. The same variety of opinions, concerning the subject, was troublesome; some placed it in the essence of the soule; some in the understanding; some in the will; and there wanted not, who gave it place in the hands and tongue. *Jerome* of *Portugall*, a Dominican Friar, thought that the Sacraments did imprint a spirituall quality, before the comming of grace; and that it was of two sorts: one which

Concerning the Character imprinted by the Sacrament.

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which can never be aboliſhed, the other which may bee loſt, and regained; the former whereof is called a Character, and the later a certaine ornament. The Sacraments which give the firſt, cannot bee reiterated, becauſe their effect ever remaineth; the others may, when their effect is loſt. This carried a faire ſhew, but was not approved by many, becauſe there was no other Author to bee found of that ornament but Saint *Thomas*; who alſo, though he begat it, yet did not think it worthy of education. But howſoever, all agreed in this generall, that three Sacraments have the Character: yet ſome did ſay, modeſtly, that it was to bee approved as more probable, not as neceſſary: others on the contrary, that it was an Article of Faith, becauſe *Innocentius* the third made mention of it, and was ſo defined by the Councell of *Florence*.

Three Sacraments have a Character.

The Article, that the honeſty of the Miniſter was not neceſſary, was ſo diſcuſſed by Saint *Auſtine*, in ſo many books, againſt the Donatiſts, that the Divines did all agree: and beſides it was alleadged, for a principall ground, that the Article was condemned, by the Councell of *Conſtance*, amongſt the errors of *John Wickliefe*.

They all condemned the eleventh Article, as contrary to the Scripture, tradition, and uſe of the univerſall Church.

The twelfth, of the formes of the Sacraments, was diſtinguiſhed, as receiving two ſenſes; underſtanding by forme, either the eſſentiall words, as it is ſaid, that every Sacrament hath, for matter, the ſenſible element, and for forme, the word; or underſtanding, by forme, all the forme and rite of the Miniſtery, which includeth many things not neceſſary, but decent. And they thought fit to make two canons thereof; by the firſt, condemning him of hereſie, that ſaith, that the forme may bee changed, being inſtituted by Christ. But, for the ſecond ſenſe, though accidentall things may receive mutation, yet when any rite is brought in by publike authority, or received and confirmed by common uſe, it ſhould not be in every mans power to change it, but onely in the Popes, as Head of the Church univerſall, when it is convenient for ſome new reſpect.

Concerning the intention of the Miniſter in the adminiſtration of the Sacrament.

In the thirteenth, of the intention of the Miniſter, they could not diſſent from the Councell of *Florence*, which holds it neceſſary: but what intention was required, was hard to expreſſe, in regard of the variety of opinions about the efficacie and vertue of the Sacraments: becauſe there cannot be the ſame intention of two, who have divers opinions. The common anſwer was, that the intention to do as the Church did, was ſufficient. Notwithſtanding this expoſition, the difficulties remained, for that mens opinions what the Church is, being divers, their intention in adminiſtring the Sacrament, would prove various alſo. It ſeemed they might ſay, it was not different, when all had the ſame aime, to do that which hath beene inſtituted by Christ, and obſerved by the Church, though a falſe Church be taken for a true, ſo that the rite of the one and the other be the ſame.

A diſcourſe of the Biſhop of *Minori* about the intention of the Miniſter.

In this particular, the Biſhop of *Minori* propoſed a thing worthy to bee repeated here, and eſteemed by all to deſerve great conſideration. Hee ſaid, that to the Lutherans, who give no other vertue to the Sacraments, then to excite faith, which notwithſtanding may bee ſtirred up ſome other way, it did

did little import to receive the true Sacrament. Whereupon they ſay it is not neceſſary, and think it not convenient, that the malice of a wicked Miniſter, who hath no intention to conferre the true Sacrament, ſhould bee able to hurt, becauſe we are to regard what the faithfull receiveth, and not what is given. But amongſt the Catholikes, who do truly attribute to the Sacrament power to give grace to him that doth not reſiſt it, ſeeing it happeneth very ſeldome, that grace is obtained by any other meanes, ſurely little children, and many who have but ſmall underſtanding, are ſaved no other way. And ordinary men have ſo weak a diſpoſition, that it would not ſuffice without the Sacrament. And thoſe few, who, as *Phenixes*, have a perfect diſpoſition, yet do receive greater grace by the Sacrament. Therefore it much concerneth a Chriſtian to bee aſſured, that hee receiveth that which is true and effectuall. If a Prieſt, having charge of foure or five thouſand ſoules, were an infidell, but a formall hypocrite, and in abſolving the penitent, baptizing of children, and conſecrating the Euchariſt, had an intention not to do what the Church doth, it muſt bee ſaid that the children are damned, the penitent not abſolved, and that all remaine without the fruit of the Communion. Neither is it enough to ſay, that faith ſupplieth; becauſe it doth not help children at all, according to the Catholike doctrine, nor others, ſo much as the Sacrament: and to attribute ſo great vertue to faith, were to take all vertue from the Sacraments, and to fall into the Lutheran opinion. 1547 PAUL 3. CHARLES 5. HENRY 8. FRANCIS 1.

Hee conſidered how a tender Father would be afflicted when his ſonne was about to die, if he doubted of the intention of the baptizing Prieſt: So hee that feeleth himſelfe of a weak diſpoſition, and is to be baptized, what anxietie will he have, that perhaps the Prieſt is a counterfeit Chriſtian, and mocketh him, not meaning to baptize him, but only to waſh him in jeſt. And the ſame may bee feared in confeſſion, and receiving the Euchariſt. He added, if any ſaid theſe caſes were rare, would to God it were ſo, and that, in this corrupt age, wee had not cauſe to doubt they were many: But ſuppoſe they are very few, or but one onely. Let there bee a knave Prieſt, who faineth, and hath not an intention to adminiſter the true Baptiſme to a child; who after, being a man grown, is created Biſhop of a great Citie, and liveth many yeares in that charge, ſo that hee hath ordained a great part of the Prieſts; it muſt bee ſaid, that hee being not baptized, is not ordained, nor they ordained, who are promoted by him. So, in that great Citie, there will bee neither Euchariſt, nor Confeſſion, becauſe they cannot be without the Sacrament of order, nor order without a true Biſhop, neither can he receive order who is not baptized. Behold millions of nullities of Sacraments, by the malice of one Miniſter, in one Act onely. And he that thinketh that God ſupplieth by his omnipotencie, and provideth againſt theſe daily occurrences by extraordinary remedies, will ſooner make one beleeve that God, by his providence, hath provided that ſuch accidents ſhould not happen. Therefore the Biſhop ſaid to every inconvenience; God hath made proviſion herein, by ordaining that to bee a Sacrament which is adminiſtred, according to the rite inſtituted by himſelfe, though the Miniſter have another inward intention. And hee added that this doth not croſſe the common

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doctrine of the Divines, or the determination of the Florentine Councell, which requireth intention, becauſe the inward intention is not to be underſtood, but that which is manifeſted by the externall work, though inwardly it bee contrary. And ſo all inconveniences are removed, which otherwiſe are innumerable. Hee brought many reaſons for proofe, and at laſt the example written by *Sozomene*, That the children of *Alexandria*, being at play by the Sea ſide, did imitate, in jeſt, the actions uſed in the Church, and *Athanaſius*, created Biſhop of the play, did baptize other children not baptized before; whereof *Alexander*, of famous memory, Biſhop of *Alexandria*, being advertiſed, he was troubled at it, and called the children, and asked what their Biſhop had done, and ſaid unto them: and underſtanding that all the Eccleſiaſticall rite was obſerved, by the Councell of other Prieſts, did approve the baptiſme; which could not be maintained, if ſuch an intention, as others ſpake of, were required, but might well be in that manner that himſelfe did expreſſe it.

Athanaſius being a child did baptize other children.

The Divines did not approve this doctrine, yet were troubled, and knew not how to reſolve the reaſon: But they ſtill defended that the true intention of the Miniſter was neceſſary, either actuall, or virtuall, and that without it the Sacrament was not of force, notwithſtanding any externall demonſtration. I muſt not refraine to ſhew alſo (though it bee an anticipation of the fit time) that howſoever the Synod did after determine abſolutely that the intention of the Miniſter is neceſſary, yet this Prelat remained firme, and, in a little Book that hee wrote to this ſubject a yeare after, did ſay that the Synod of *Trent* was of his opinion, and that the determination ought to bee underſtood in his ſenſe. There was no difficultie in condemning the laſt Article, by reaſon of that which hath beene ſaid by others.

The opinion of the Biſhop of *Minori* was not received. But a year after hee publiſhed a little Booke to ſhew that the Synod was of his minde.

The matter of Baptiſme, in the third Article, gave them greater trouble, what that Baptiſme is, which is given by the hereticks. All grounded themſelves upon the Schoole-doctrine, received by the Florentine Councell, that a Sacrament requireth matter, forme, and intention, and that water is the matter; the expreſſion of the Act in the name of the Father, the Sonne, and the holy Ghoſt, the forme; and to do what the Church doth, the intention. Whereupon they eſtabliſhed an undoubted concluſion, that thoſe hereticks have true baptiſme, and agree with us in theſe three things; which they ſaid was received by an Apoſtolicall tradition, eſtabliſhed long before by Pope *Stephanus* the firſt, in the beginning of the third age, and approved by all the Church following. But thoſe that underſtand antiquity do know, that this was not the opinion of *Stephanus*, in whoſe time, matter, forme, and intention were not heard of. For that Pope did think abſolutely that thoſe who were converted from any hereſie whatſoever, ought not to be rebaptized; though, in thoſe times the hereticks, except ſome few *Montaniſts*, were *Gnoſtiques*, who uſed extravagant baptiſmes, by reaſon of the exorbitant opinions which they held, of the divinity, and perſon of CHRIST. And it is certaine that thoſe baptiſmes had not the forme which is uſed now, and yet the Church of *Rome* did then receive to repentance, every ſort of hereticks, indifferently, without rebaptizing them. The Biſhops of *Africa* and *Cappadocia*,

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Cappadocia were directly opposite, saying, that all hereticks were to be rebaptized. In the Councell of *Nice* a middle course was held, that is, that the *Cathari* should not be rebaptized, but the *Paulianists* and *Montanists* should. The Councell of *Constantinople* did name many hereticks which were to bee rebaptized, and others to bee received to baptisme with them, in whom it would bee hard to shew that the same forme was used. But (which is of more importance) Saint *Bernard* doth witnesse, that the *Novatians*, *Eucratiques*, *Saccofors* were not rebaptized in *Rome*, whom notwithstanding he did rebaptize; neither did that Saint think this diversity to bee absurd: onely hee said, it would bee good to assemble many Bishops to resolve upon an uniforme proceeding. But giving no more heed to these things then to fables, they held the current doctrine, That an heretick doth truly baptize, if he useth the words, and hath the intention of the Church.

The fourth Article; that Baptisme was repentance, in regard of the force of the speech, was held by many not to bee false, alleadging the Evangelist, who saith, that *John* preached *the Baptisme of Repentance*; and that *Paul*, in the sixt to the *Hebrewes* calleth Baptisme by the name of *Repentance*. And so many Fathers have said the same, that the Article could not be condemned, except it did say, that Baptisme was the Sacrament of Penance. But because it seemed in this sense to be the same with the sixteenth Article, many thought fit to leave it.

The 9. and 10. belonging to the Baptisme of *John*, many were of opinion that they ought to be omitted. For not speaking of those of the old law, it was lesse fit to speak of that which was in the middle, in regard their scope was to handle the Sacraments of the new law. But others said, that the hereticks minde was, not to exalt the Baptisme of *John*, and to make it equall with that of CHRIST, but to abase that of CHRIST, and to make it equall with *Johns* Baptisme; inferring, that, as this did not give grace, but was a pure signification, so was ours also; which is a most formall heresie.

Whether the Baptisme of *John* & Christ be equall.

In the eleventh, of th: Rites, some would have the substantials distinguished from others, and said, that those onely cannot be omitted without sin. Others would exclude the case of necessity onely, and that otherwise it was not lawfull to omit any whatsoever; for in regard the Church, governed by the holy Ghost, hath ordained them, they are necessary by the precept, though not by the substance of the Sacrament. They alleadged many Chapters of the Popes, and Councels, all which would prove vaine, if every one might change as he listeth. That part which speaketh of immersion, though it be a more expresse figure of the death, buriall, and resurrection of CHRIST, yet it was condemned by all, and many places of the Prophets were alleadged, where aspersion, or effusion of water is spoken of, all which, they said, ought literally to be understood of Baptisme.

All set themselves against those three which speak of the Baptisme of children, alleadging the doctrine of the ancient Fathers and Schoolemen; and many invectives were made against *Erasmus*, attributing unto him the invention of the fifteenth; saying, it was impious and pernicious, and would open a way to abolish all Christian Religion: adding, that if the children of the uncircumcised Jewes, comming to age, were bound to keep all the law,

Erasmus is taxed.

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and were puniſhed for tranſgreſſing it, it was more juſt to compell the ſons of the faithfull to obſerve the Chriſtian law; that the Univerſity of *Paris* had deſervedly condemned the Article, and ſo ought the Synod to do.

They concluded, that the ſixteenth was conteined in the former Articles, becauſe it did take away Penance, one of the ſeven Sacraments. But all ſaid, that the laſt was contrary to the proper miniſtery of baptiſme, in the very beginning whereof the catechized is admoniſhed, that, if he will have eternall life, it is neceſſary to obſerve all the commandements.

Of *Confirmation, Chriſme,* and *Unction.*

In the Articles about confirmation, there was no difference; and all, for their ground, did alleadge the Councell of *Florence*. And that which is ſaid in the third Article, that youngmen did formerly give an account of their faith in the preſence of the Church, was generally decided, that, not being uſed in theſe times, one ought to beleeve it was never uſed before; for the Church would never have intermitted that ceremonie. Many places of Councels and ancient writers were alleadged, making mention of Chriſme, and Unction, which cannot agree to inſtruction or examination. Therefore they concluded, that it was a moſt vaine ignorance, to change ſo prinpall a Sacrament, againſt the common meaning of all the Church, into a rite perhaps uſed in ſome particular place, but never univerſally, as the Unction of the Chriſme.

Whether onely the Biſhop be miniſter of *Confirmation.*

Upon the laſt Article there was much difficultie, in regard Saint *Gregorie* the Pope did grant the miniſtery to ſimple Prieſts. The Franciſcans, according to the doctrine of Saint *Bonaventure*, followed by *John Scotus*, and their order, which doth attribute the miniſtery to the Biſhop onely, as Pope *Adrian* the ſixt did alſo maintaine, anſwered, that it was a permiſſion onely for that time, and againſt the Popes will, to avoid the ſcandall of thoſe people: or elſe that the Unction, permitted by *Gregorie*, was not the Sacrament of confirmation. Which anſwer not pleaſing Saint *Thomas*, becauſe it did not wholly free the Pope from having erred, he found a temper, and ſaid, that though the Biſhop bee the miniſter of Confirmation, yet, with the Popes permiſſion, it may be adminiſtred by the Prieſt. Others oppoſed, and ſaid that the doctrine of the Romane Church was abſolute, that the miniſters of Sacraments are inſtituted by Christ, whom though the Pope can command to the exerciſe of the miniſterie, yet he cannot make the Sacrament to be of force that is adminiſtred by others, nor nullifie that which is conferred by the miniſter, inſtituted by Christ, though againſt his commandement. And therefore if Christ hath inſtituted the Biſhop for miniſter, the Pope cannot make that grant to the Prieſt; if Christ hath granted that the Prieſt may do it, the Pope cannot hinder him. For it would ſeeme a ſtrange thing, that in the other Sacraments, being all of greater neceſſitie, Christ ſhould preſcribe the miniſter, without leaving any libertie unto men, and in this, which may at any time be deferred, uſe a ſingularitie, whereof, for ſix hundred yeares, untill the time of *Gregorie*, no man had made any mention, building an Article of faith upon foure words, ſpoken by occaſion: and if the epiſtle had beene loſt, no man would ever have invented that diſtinction, unuſuall in ſuch a matter, nor to be applied to any thing but to this place of *Gregorie*.

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Others, being not satisfied with the resolution of either party, did propose, that the words of the Florentine Councell should bee taken. Some thought fit, onely to condemne him that would say, that the Priest, and not the Bishop onely, is the ordinary Minister; giving by the word (ordinary) power to inferre, therefore there is another extraordinary, or to say, that there can bee no other, because the Sacraments have no Minister, but Ordinarie.

A Decree of Reformation conteining six heads.

While the forenamed Articles were discussed by Divines, in the Congregation of the Canonists, assembled to collect and remedy the abuses, concerning the Sacraments in generall, and, in particular, of Baptisme, and Confirmation, a Decree was made conteining six heads: which said thus in substance. That the Synod, desiring to remove the abuses, brought in by men or time, and to teach the Ministers of Churches, and all the faithfull, how to governe themselves in observing, ministring, and receiving the Sacraments; doth ordaine, 1. That the Ecclesiasticall Sacraments shall bee freely conferred, without taking or demanding any thing for them, under any pretence whatsoever, and no chest, vessell, cloth, or any such thing, shall be shewed, by which a demand may be intimated; nor the Sacrament shall bee denied, or deferred, upon pretence of any long and ancient custome, not to conferre them before some certaine stipend bee paid, or satisfaction of some debt, considering that neither custome, or length of time, doth diminish the sinne, but rather increaseth it: and the offenders shall bee punished according to the lawes made against symoniacall persons. 2. The Sacrament of Baptisme shall not bee conferred in prophane places, but in Churches onely, except in case of necessity, and when the children of Kings and Princes are to be baptized, according to the constitution of *Clement* the fifth; which shall not take place in all that have dominion, but onely in great Princes. Neither shall the Bishop give the Chrisme, but in seemly ornaments, and in the Churches, sacred places, or Episcopall houses. 3. The Sacrament of Baptisme shall be administred by able Priests, in the mother Churches onely, except, by reason of great difficulty to go to them, the Bishop think fit to grant it to other Churches, or that it hath beene granted time out of minde: in which Churches, holy water, taken from the mother Church, shall bee kept in a cleane and decent vessell. 4. In Baptisme and Chrisme there shall be allowed but one God-father, who shall neither bee infamous, nor excommunicated, nor interdicted, nor under age, nor a Monk, nor any that cannot performe what he promiseth. And in Chrisme, hee shall not bee received for a God-father, who hath not received Chrisme himselfe. 5. To take away the abuse, practised in many places, to carry about the water of Baptisme, or christened children, with their forehead bound, to make many God-fathers, by washing of the hands, or loosing the forehead, the Priests, in regard no compaternity is contracted by these meanes, shall not permit the water of Baptisme to bee carried out of the Church, but shall cause it to bee cast into the Sacrary, and the Font to bee shut up. And the Bishops, when they give the Chrisme, shall make two Clerks stand at the Church doore, to untie and wash the foreheads of those that have received the Chrisme, not suffering any that is tied to go out of

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the Church. 6. The Biſhops ſhall be diligently carefull, not to confirme any who is excommunicated, interdicted, or in mortall ſinne.

And though the Canoniſts did more eaſily agree in theſe Decrees, then the Theologues in their diſcuſſions, yet ſome differences were amongſt them, for reſolution whereof, becauſe after long diſputation they could not agree, they put them in forme, and referred the deciſion to the generall Congregation. The firſt doubt was, whether unto theſe words, that is, that nothing ſhall bee required or demanded, it ſhould be added, or received. The ſecond, whether they ſhould adde theſe words; under pretence of any cuſtome whatſoever. The third, whether they ſhould uſe ſome words, to ſignifie, that the Synod doth not prohibite voluntary oblations, or doth prohibite them onely, when they are given in regard of the Sacrament, and not for other reſpects of pietie, or whether the Decree ſhould bee left in its univerſality.

Difficulties referred to the generall Congregation.

But there was the ſame difficultie, in the generall Congregation, impoſſible to bee reconciled. Thoſe that required the additions, not to receive or pretend cuſtome, alledged the Goſpel; *Freely you have received, freely give;* and many Canons *anathematizing* him that giveth or receiveth a temporall thing, for a ſpirituall. That cuſtome againſt the law of God and nature is corruption, and cannot take place. That in the title of ſimonie, the cuſtome of giving or receiving, for poſſeſſion of benefices, benedictions of marriages, for burials, benediction of the Chriſme, for oyle, or for the ground of the buriall, is reprehended and condemned. Which the rather ought to bee applied to the Sacraments, in regard, if that bee not prohibited, nothing is done; becauſe the corruption is uſed in all places, and every one will excuſe himſelfe with it. That as the cuſtome of receiving any thing before is condemned in the Decree, ſo the cuſtome to receive after, ought to bee condemned by the ſame reaſon; or elſe, by condemning that, this is approved. And for voluntary oblations, they would have it generally forbid, to give or receive any thing a little before, or a little after, for any reſpect whatſoever; becauſe, in reſpect of the time, one may preſume that it is given for the Sacrament. And here the gloſſe was alledged, which ſaith, that howſoever it is a work of pietie to put money into the box, yet to do it in time of receiving the Sacrament, breedeth ſuſpition of ſimonie: and therefore that the time is to be reſpected, which may make a thing ſeem evill, which otherwiſe may be accounted good. That God doth command, *to take away all occaſion of ſcandall*, and *to abſtaine from all appearance of evill*. And therefore that the Sacraments may be purely adminiſtred, they would have voluntarie oblations abſolutely forbid, in time of adminiſtring the Sacraments, exhorting the faithfull to uſe them in other times and occaſions.

In which they could not be decided.

One the other ſide was alledged, that the fourth Councell of *Carthage* granteth the receiving of what is offered for baptizing of Children; and that the Divines, having determined that no temporall thing ſhall be received for the Sacrament, do conſent withall, that one may receive for the paines in adminiſtring them, and much rather when it is given or received, not in reſpect of the Sacrament, but by way of almes, or elſe the Laitie would have no occaſion to exerciſe works of charity, and the poore Curates would not be

bee able to live. They alledged the authority of Saint *Paul*, That it is not lawfull to muzzell the Ox that treadeth the corne, and that he that serveth at the Altar should live by it. That it should never be confessed that any custome is introduced to give or receive any thing for the ministring of the Sacraments, because it being generally used it would be as much as to say, that a pernicious abuse hath beene tolerated, yea approved in the Church universall. Therefore that they ought not to speak of breaking a custome that was never in use, least thinking to remedy that which is not evill, but so esteemed by the tendernesse of some mens consciences, the Church should receive a mortall wound. Their principall reason was that *Innocentius* the third, in the generall Councell, in the Chapter, *Ad Apostolicam*, doth not only declare the custome of making oblations, in the administration of Sacraments, to bee lawfull, and ordaine it should be observed, but that the Bishop should be punished, in case he should go about to change it. Therefore to determine the contrary now, would be to condemne, very scandalously, a Pope and a general Councel, as approvers and defenders of a pernicious error. 1547 PAUL 3. CHARLES 5. HENRY 8. FRANCIS 1.

It was replied by the other side, that the Statute of the Councell of *Carthage* doth condemne, severely, the exaction, and doth tolerate the voluntary oblation: but that it was amended by the Councell of *Heliberum*, which forbiddeth the use, observed in those times, that the baptized should put some money into the font. That the invention of the Divines distinguished the ministery of the Sacrament from the paines in administring it, and the distinction to receive in respect of the Sacrament, or of some thing else, and that of the first and second intention, are metaphysicall, and chimericall, considering the words of the Gospel are delivered in absolute termes, not subject to cavill, or glosses, which do marre the Text: That God by *Moyses* and Saint *Paul*, prohibiting the muzzell, doth meane that food should not bee denied to the hungry beast, yet that he should not be filled with superfluity. That the pouertie of the Clergie could not bee pretended, having not onely competent, but abundant reventies. That the abuse is that the governours of Churches reside not in their benefices, and yet will receive all the fruits, hiring the incertaintie to poore silly Priests, who are forced to sell all to keep themselves alive. That they should rather make provision that all should reside, by which meanes they would have more then enough for their maintenance, and should not need to sell the Sacraments. And by this occasion they began againe to dilate of residencie, and of the good that would follow, declaring it to be, *De jure divino*. That if any benefice with cure of soules be small, provision should be made, by uniting other simple benefices, and in case there were no other way, by causing the people to contribute for their maintenance. That it is better, and pleaseth God more to confesse the error past, and to redresse it, then to defend it, and persevere. And the Cardinall of *Monte*, who otherwise did not seeme inclined to reformation, was peremptory in this, answering those that alledged the authority of *Innocentius* the third, and the generall Councell, that they did great wrong to that Pope and those Fathers, to say they defended so great an abuse, and that they shewed their ignorance. For if they reade the 3. Chapter of the same Councell, which is the third before that which they have alledged, they

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they might have ſeene the meaning very plainly, and how thoſe Fathers did forbid all exactions, condemning alſo the cuſtome to the contrary. And, in that Chapter, the cuſtomes to give any thing for adminiſtring the Sacraments are not allowed, but others, being lawfull, honeſt, and in favour of the Church, are permitted, as tenths, firſt fruits, oblations uſually made to the altars, canonicall portions, and ſuch other laudable uſances; alleadging that the Chapter was ſo underſtood by *Bartolus* and *Romanus*.

Anathematiſmes framed.

The Fathers deputed to make the Decrees in matter of faith, conſidering the opinions of the Divines, and the concluſions in which they agreed, leaving and diſtinguiſhing the Articles according to their direction, and ranging them in a better order, framed 24. *Anathematiſmes*, concerning the Sacraments in generall, ten of Baptiſme, and three of *Chriſme*: which were expreſſed in ſuch a forme, as that no Catholike opinion was condemned, and all parties ſatisfied. But in compoſing the *Heads* to expreſſe the doctrine, as was done in juſtification, it was not poſſible to uſe the termes of one opinion, but that another ſeemed to be diſ-alowed; which neither pleaſed the Doctors for the affection they bare to their owne ſect, nor the Legates and Neutrals, for feare of ſowing new diviſions: But not being able to expreſſe the doctrine ſo nicely, but that more then one of the parties would bee loſt, they referred it to the generall congregation, to define how the Sacraments do containe and cauſe grace.

It was hard to expreſſe the doctrine, and to diſpleaſe no perſons.

The Congregation was no leſſe perplexed then the Deputies. One part inclined to omit wholly the matter of doctrine, and to paſſe with the *Anathematiſmes* onely, as they did in originall ſinne. Another part would have the doctrine by all meanes, alleadging the reaſons uſed, when they treated of juſtification; that it was neceſſary to follow the example then begun: and that all diligence ſhould be uſed to ſatisfie all parties. But at the laſt they ſaid it muſt be done, and that there was no danger of diviſion. For the Divines, preſent in Councell, though they ſharply defend their owne opinions, yet they do referre themſelves to the Synod, which the abſent will aſſuredly do alſo. Therefore they ſhould not refraine to do the buſineſſe exactly, that the heretiques may be convinced. This opinion had prevailed, but that *John Baptiſta Cigala*, Biſhop of *Albenga*, and *Auditor* of the *Chamber*, did ſtrongly oppoſe: who ſaid, it was never found in any Story, that ever any man was willing to have his opinion condemned, and though all the Catholiques referre themſelves to the judgement of the Church of *Rome*, yet, if their opinion were rejected, they would not referre it, but defend it more obſtinatly, fortifying themſelves the more by reaſon of oppoſition; by which meanes, of ſects, hereſies do ſpring. Therefore that the beſt way was to tolerate all the opinions, and to take care that none condemne another, but that all may live in peace. Neither is there ſuch contrarietie betweene them, that uſing this moderation, any inconvenience can ariſe; whereas, without it, every verball difference or little triſle is able to divide the whole world. That many opinions of the moderne innovators might have been tollerated, if they had beene modeſtly maintained, without condemning the Church of *Rome*, and the doctrine of the Schooles. This conſtrained *Leo* to retort againſt *Luther* thoſe arrowes, which he had firſt ſhot againſt the Apoſtolike

Sea!

Sea. In ſumme, the wiſe Prelat ſaid, that the uſuall proteſtations of the Doctors to refere themſelves to the Church, were termes of good manners and reverence, which ſhould bee anſwered with as much reſpect, by keeping themſelves neutrall betweene the contrarieties. That it is fit, that hee that would be reſpected ſhould give reſpect againe: and one ought never to beleeve that he that ſaith he doth referre himſelfe and ſubmit, hath a purpoſe to do it, if occaſion were offered. Of this *Luther* is a manifeſt example; who, while hee had to do onely with the Friars, who were Pardon-mongers in *Germany*, in matter of Indulgences, as alſo with the Doctors of *Rome*, did alwayes ſay he referred himſelfe to the Pope. And when *Leo* took the promiſe for reall, which was made onely in ſhew, *Martin* did not onely keep it, but inveighed more againſt his Holineſſe, then hee had done againſt the Pardoners in *Germany*.

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The Proteſtations of Doctors, that they referre themſelves to the Church are but termes of good manners

The Legats ſend a copie to *Rome* of all things that were deliberated, and of the difficulties remaining, as well in matter of Faith, as in reformation of the abuſes, deſiring to have order what they ſhould reſolve, re-examining in the meane ſpace the ſame matters; but moſt ſeriouſly the matter of the plurality of Benefices, propoſed long before, as hath beene ſaid, and handled in part at the ſame time, all the ſubſtance whereof I will continuately relate in this place.

The Legates ſend to *Rome*.

In the Congregation of the fifteenth of January, when the Articles of the Sacraments were given out, the matter, begun the day before, continuing ſtill, in regard many do not reſide becauſe they are not fit to exerciſe the charge, with the plurality of Benefices they handled the qualities and conditions required in Biſhops. They began with that which Saint *Paul* requireth in Biſhops and Deacons, inſiſting much upon the words, *irreprehenſible*, given to hoſpitality, not covetous, not new in Religion, and eſteemed by ſtrangers. Afterwards other conditions, required by many Canons, were alleadged, wherein there was no difficulty, all uniformly declaiming againſt the vices and defects of the Prelats and Clergie. This diſpleaſed not the Legats, being content to ſee the Prelats entertaine themſelves with this ſhadow of liberty. But in the heat of ſpeaking, *John Salazar* Biſhop of *Lanciano*, attributed the beginning of all to the Court of *Rome*, which, in diſtributing Biſhopricks, regarded not the ſufficiencie of the perſons, but ſervices performed. Whereunto the Biſhop of *Bitonto*, who ſpake a little after, replied with much feeling, and ſaid, that the fault of others was unjuſtly attributed to the Court. For in *Germany* Biſhopricks are given by election, in *France*, *Spaine*, and *Hungarie*, by the Kings nomination; and in *Italy* many do belong to perticular Patrons; and to thoſe that are free the Princes do recommend, and will not be denied, taking all liberty from the Pope. But hee that will not bee tranſported by opinion, but judge ſincerely, will ſee that thoſe who are made freely at *Rome* are the beſt of all *Europe*. Pluralitie of Benefices, unknown to the firſt ages, hath not beene brought in by the Court of *Rome*, but by Biſhops and Princes, before the Popes took upon them to regulate the matter of Benefices throughout all Chriſtendome: and, but for the proviſions which are to bee found in the bodie of the Canon Law, the diſorder would have beene already mounted to the height.

The qualities and conditions required in Biſhops.

Some

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Some were pleaſed, and ſome diſpleaſed at this contention, according to their affections. But every one diſcovered that the mater could not bee handled without danger, as the treaties of the next Congegations did ſhew.

A diſcourſe of the Author concerning plurality of Benefices.

But becauſe this particular deſerveth to be well underſtood, it will be fit to ſhew how the abuſe began, and came to this growth. Yet I will not ſpeak of thoſe happy times when the name of the Church was common to all the congregation of the faithfull, unto which did belong the uſe and propriety of the goods which are called Eccleſiaſtical, when the poore, & ther miniſters had their food and apparell from one common Maſſe, and thoſe were more principally provided for then theſe. Neither will I mention the time when they did fall one degree, and of one Maſſe made 4. parts, putting that of the poore in the loweſt place, which, according to the former uſe, ought to bee in the firſt. But I will begin from the time when the Name of the Church was appropriated to the Clergie onely, all other Chriſtians being excluded; when that was applyed to few, which belonged to all, and to the rich, that which firſt ſerved for the poore. I ſay in the beginning of thoſe times, the Clergie having divided amongſt themſelves all the revenues of the Church, the charges, which before were called miniſteries and offices of ſpirituall care, the temporality being now moſt eſteemed, were named Benefices. And yet ſo long as the old Canons remained, that one man ſhould not bee ordained unto two titles, none could have more then one Benefice. But the revenues being by warres or inundations diminiſhed, and become not ſufficient for their maintenance, one man might hold two, yet ſo as that hee ſhould attend them both. This was begun in favour, not of the man beneficed, but of the Church; which, becauſe it could not have a proper Miniſter, might have at the leaſt ſome other ſervice. Upon pretence of the inſufficiencie of the Benefices, and that none could bee found to ſerve in them, they began to grant more of them unto one, though no neceſſity appeared, for the ſervice of the Churches; and the mask being taken away by little and little, they were not aſhamed to do it in favour of the man beneficed. But the world being ſcandalized hereat, there was a moderation uſed; whereupon the diſtinction began of men tied to reſidencie and not tied, and of Benefices compatible and not compatible, calling thoſe of reſidencie incompatible one with another, and the other compatible with theſe and with themſelves. Yet the gloſſe of the Canoniſts alwayes declared (to make a ſhew of honeſty) that many Benefices ſhould not bee given to one, but when one is not ſufficient for maintenance. But they cut this ſufficiencie very large, proportioning it not to the perſon but to the qualitie, not eſteeming it ſufficient for an ordinary Prieſt, if it were not enough for himſelfe, the family of his parents, three ſervants, and an horſe; and more, if he were noble or learned. And it is ſtrange how much they allowed for a Biſhop, in regard of the *Decorum* he is to keep. For Cardinals, it is ſufficient to note the common ſaying of the Court, that they are equall unto Kings; by which they conclude, that no revenew is two much for them, except it be more then enough for a King. The cuſtome being begun, and neither the world, nor equitie being able to reſiſt it, the Popes reſerved to themſelves

How the diſtinction of Benefices compatible & incompatible began.

power

power to diſpenſe with the incompatible, and to have more then two of the others. But to finde a colourable way to put this in practice, they laid hold on *Commendaes*, a thing inſtituted at the firſt to good purpoſe, but after uſed to this end onely. For when, by reaſon of warres, peſtilence, and other ſuch cauſes, the election or proviſion could not bee made ſo ſoone, the ſuperiour did recommend the vacant Church, to ſome honeſt and worthy man, to governe it, beſides the care of his owne, untill a *Rector* were provided; who then had nothing to do with the revenues, but to governe them, and conſigne them to another. In progreſſe of time the *Commendataries*, by divers pretences of honeſty and neceſſity, made uſe of the fruits, and, to enjoy them the longer, ſought meanes to hinder the proviſion. For remedy whereof, order was taken, that the *Commenda* ſhould not laſt longer then ſix months. But the Popes, by the plenitude of their power, did paſſe their limits, and commended for a longer time, and at the laſt, for the life of the *Commendatarie*, giving him power to uſe the fruits, beſides the neceſſary charges. This good invention, ſo degenerated, was uſed in the corrupted times, for a cloak of pluralitie: obſerving the word of the law, to give but one benefice to one man; contrary to the ſenſe; in regard that a *Commendatarie* for life, is the ſame in reality with the titular. Great exorbitances were committed, in the number of the benefices commended; ſo that, after the Lutheran ſtirs began, and all men demanded reformation, *Clement* the ſeventh in the yeare 1534. was not aſhamed to commend unto his Nephew *Hippolitus, Cardinall de' Medicis*, all the benefices of the world, ſecular, and regular, dignities, and perſonages, ſimple, and with cure, being vacant, for ſix moneths, to begin from the firſt day of his poſſeſſion, with power to diſpoſe of, and convert to his uſe all the fruits. This exorbitancie was the height of all, which in former times the Court durſt not uſe, though it gave in *Commenda* a very great number unto one.

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How Commendaes began.

A large Commenda given to Hippolitus, Cardinal de Medici by Clement the 7.

Therefore the *Union*, formerly uſed for a good end, was invented to palliate *Pluralitie*. This was practiſed when a Church was deſtroyed, or the revenues uſurped, that little which remained together with the Charge, being transferred to the next, and all made one benefice. The induſtry of the *Courtier* found out, that beſides theſe reſpects, benefices might be united, ſo that by collation thereof, *Pluralitie* was wholly covered, though in favour of ſome Cardinall or great perſonage, thirty, or fortie in divers places of Chriſtendome were united. But an inconvenience did ariſe, becauſe the number of benefices did decreaſe, and the favour done to one, was done afterwards to many, without merit or demand, to the great damage of the *Court* and *Chancery*. And this was remedied, with a ſubtile and wittie invention, to unite as many benefices as pleaſed the Pope, onely during the life of him upon whom they were conferred, by whoſe death the union was underſtood to be diſſolved, *ipſo facto*, and the benefices returned to their firſt ſtate. So they ſhewed the world their excellent inventions, conferring a benefice, which was but one in ſhew, but many indeed; as one confeſſed hee had ſtollen a bridle, concealing it was upon a horſe head, which he ſtole with it.

Of Vnions of Benefices.

To remedy plurality, it was neceſſary to remove the abuſe of theſe three pretences.

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A dispute about the remedy of *Plurality.*

preteneces. This the wiser sort of Prelats understanding, agreed uniformely at the first propose, to inhibite all, of what condition soever, to have more then three Benefices. And some added, when two amount not to the value of foure hundred ducats of gold: and that if one were worth so much, no man whatsoever should have any more, nor more then three, though they were not worth so much. Of this there was much disputation; and much more then *Aluise Lipomano*, Bishop of *Verona*, propoſed that this Decree might touch them also, who were now possessors of more, who, without exception of any, should bee constrained to renounce those that were supernumerary, within six moneths if they were in *Italy*, and within nine if in other places: which if they did not they should bee deprived, without any further declaration, notwithstanding the benefices were *united*, or *commended*, or possessed by any other title. To this opinion the Bishop of *Fulsre* did adhere, but did moderate it, by distinguishing *Dispensations*, *Commendaes*, and *Unions*: saying, that some were made for the good of the Churches, and some in favour of the possessor: desiring that the former should remaine in force, and the other should be regulated. The Bishop of *Lanciano* did not admit this distinction; saying, that hee that would make a lasting law, must not put exceptions into the body of it, in regard the malice of man is apt to invent them, and to free themselves from the rule. The Bishop of *Albenga* made a long oration to shew, that good lawes do regulate the future onely, and that hee, who, not containing himselfe within the bounds of reason, will amend that which is past, doth ever raise tumults, and in stead of reforming, make a greater deformation: that it were strange to deprive men of their possessions, and perswade them to be content. Hee added, that he foresaw, that if such a Decree were made, either it would not bee received, or if it were, would cause colourable and simoniacall resignations, and greater mischieses then plurality could. For hereafter, the provision seemed unto him superfluous; for no man being to have more benefices but by the Popes dispensation, it sufficed that he was resolved not to dispence.

Lawes ought to look forward onely, and not backward.

In that Congregation, amongst many tragicall exclamations, made by divers men, *Bernardus Dias*, Bishop of *Calabora*, said that the Church of *Vicenza* was so disordered, as all men knew, that it required rather an Apostle then a Bishop; taxing the Cardinall *Ridolfi*, who possessed that Bishoprick, besides many other benefices, not governing it, nor having the Episcopall order, never seeing it, nor knowing any thing but the rents. And every one spake against the inconvenience that famous churches should never see their Bishops, because they were imployed in other Bishopricks, or more beneficiall dignities. Some said, that the Pope onely might provide against this, and were of the opinion of *Albenga*, that he alone might make the reformation. This pleased the Legats, as well for the Popes dignity, as to free themselves from taking paines in this matter, which, in regard of the variety of opinions and interests, they thought would be of an hard digestion; hoping that when they had gone so farre as to leave this reformation to the Pope, they should easily leave also unto him the point of residencie, which was as hard to be concocted, for that it was popular, and drew with it the regaining

of

of the Episcopall authority and jurisdiction. Therefore the Legates, being in hope that it might bee obtained, especiallly if it were proposed as a thing done, not to bee done, they presently sent the Pope word of it, who was glad of the newes, because both the Court and himselfe were doubtfull where the attempts and designes of the Prelats might end. And thinking fit to strike the iron while it was hot, hee made a greater stride then the Legats would have had him, and dispatched a Bull, by which he recalled unto himselfe the whole businesse of the *Reformation.* But in *Trent*, whilst an answer was expected from *Rome*, they proceeded in the treatie begun, and made a draught of the Decree, that no man should have more then one Bishoprick, and hee that had more should quit the rest; that hereafter whosoever shall obtaine many inferiour incompatible Benefices, shall bee deprived without further declaration; and hee that formerly hath possessed more then one, shall shew his dispensations to the Ordinarie, who shall proceed according to the *Decretall* of *Innocentius* 4. *Ordinarii.* In giving their voyces upon these points, many desired to have dispensations forbid. The shewing of the dispensations, and the proceeding according to the Decree of *Innocentius*, pleased but few; because it was a kinde of approbation of them all, and an increasing of the mischiefe. For *Innocentius* saith, that if the dispensations bee found good, they shall bee admitted; if there be any doubt, recourse shall bee had to *Rome*; in which case no man doubted, but that any of them might bee doubted of, and receive a declaration at *Rome*, conformable to the grant. Many feared that when they were examined and approved, there remaining no doubt, the abuse would bee confirmed; and therefore would have had them prohibited absolutely. Others said they have alwayes beene in the Church, and were necessary, and that all was in using them well.

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Of dispensations for Pluralitie.

Marcus Vigerius, Bishop of *Sinigaglia*, was of an opinion, which, if it had beene received and beleeved, would easily have reformed the whole Clergie. Hee said the Synod might remove all inconveniences, by declaring, that a lawfull cause was necessary for a dispensation, and that whosoever doth otherwise grant it, doth sinne, and cannot bee absolved, but by revoking it; and that hee who obtaineth it, is not secure in his conscience, notwithstanding the dispensation, and continueth in sinne untill hee quitteth the Benefices so gotten. This opinion wanted not contradictors. For some stood up and said, that hee who granteth licence of *Pluralitie*, without a lawfull cause, doth sinne, yet the dispensation is good, and the dispensed is secure in his conscience, though hee knew the unlawfulnesse of the cause. And the difference continued many dayes; these saying, that it was to take all authority from the Pope; and those, that the Popes authority stretched not so farre, as to make that evill should not bee evill. From this they went to another doubt, whether *Pluralitie* was forbid by the Law of God, or of man. Those who maintained residencie to be by the Law of God, said that *Pluralitie* was forbid by the same Law, and therefore that the Pope could not dispence: others said it was forbid by the *Canons* onely. The Legats did hardly appease the contradiction, and held it dangerous, as well for setting on foot the point of residencie, as because it touched the Popes au-

A doubt moved by what law *Pluralitie* is forbid.

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thoritie, though hee was not named: and the rather, becauſe that ſubtill diſcuſſion of the force of them did put them all in hazard. There being much confuſion, *Diego di Alano*, Biſhop of *Aſtorga*, ſaid, that in regard they could not agree about *Diſpenſations*, they ſhould prohibite *Commendaes* and *Unions*, which are pretences to palliate the abuſe; and hee ſpake much againſt the one and the other. Hee ſaid that *Unions* and *Commendaes* for terme of life were full of abſurdities, becauſe by them it was confeſſed, that regard was not had of the good of the Church, but of the perſon, that they were moſt ſcandalous to the world, invented a little before to ſatiate avarice and ambition, and that it was a great indignitie to maintaine an abuſe ſo pernicious, and notorious. But the Italian Biſhops, who were for the moſt part intereſted in one of theſe, did not willingly heare ſuch abſolute propoſitions, thinking fit ſome proviſion ſhould be made againſt them, but not ſuch as ſhould take them quite away.

The Pope ſendeth a Bull to the Legats which diſpleaſeth them.

In the beginning of February the Popes anſwer and *Bull* came from *Rome*, which the Legates thought was too ample. But yet, to make uſe of it, they propoſed the matter againe, cauſing the ſame determination to be repeated by their adherents, that, in regard of the difficulties and varietie of opinions, it were good to free themſelves, and referre all to the Pope. The *Imperialiſts*, even thoſe who formerly ſeemed not averſe, did now ſtrongly reply, and ſaid it was not honourable for the Councell. To which opinion the major part inclined, returning to that which was ſaid before, and raiſing a greater confuſion: inſomuch that the Legates ſaw that they could not make uſe of the *Bull*, and wrote back, that they were out of hope to remit the whole reformation to his *Holineſſe*, nor more then that which is proper unto him, that is, the moderation of the *Diſpenſations* and *Priviledges*, and *Reformation* of the *Cardinals*: which if hee were reſolved to make, it were good to uſe prevention, and to publiſh a *Bull* in *Rome*, under the name of the *Reformation* of the *Court*. For no man could ſay that the Pope was not to reforme his owne Court, and that which belongeth to himſelfe. Neither was it neceſſary to publiſh this *Bull* in the Councell, which, if it did handle all other matters, would bee fully ſatisfied. And they advertiſed his *Holineſſe*, that the Synod would never bee quiet, untill proviſion were made, not onely againſt the future, but alſo againſt the preſent grants which are ſcandalous.

The Spaniards do deſire that the manner of proceeding in Councell ſhould be changed.

When the Congregation was ended, the Spaniſh Prelates, with their followers, to the number of twenty, the Cardinall *Pacceco* being the chiefe, did uniformely conclude, that, as the Congregations were carried, no firme reſolution could bee made. For all the good that was ſpoken, was either diſſembled by him who governed the actions, or obſcured by contentions. Therefore that it was neceſſary to change the manner, and to give their demands in writing, that ſo they may come to a concluſion. And they made a *Cenſure* upon the points propoſed, and put it in writing, preſenting it to the Legates in the *Congregation* held the third of February.

Tee Spaniſh *Cenſure*.

That *Cenſure* conteined eleven Articles. 1. That betweene the qualitie of Biſhops and Pariſh-Prieſts, all thoſe conditions ſhould be put, which are ſet downe in the laſt *Lateran* Councell, it ſeeming, that too large a gate is opened

pened to *Diſpenſations*, which are neceſſarily to bee now quite removed, by making a more ſtrict *Reformation*, in regard of the hereſies which they cauſe, and the ſcandals which they give to the world. 2. That it bee plainely ſpecified, that *Cardinals* are bound to reſide in their Biſhopricks ſix moneths in the yeare at the leaſt, as formerly hath beene commanded to other Biſhops. 3. That the reſidencie of *Prelats* bee firſt declared to bee *jure divino*. 4. That the *Pluralitie of Cathedrall Churches* bee declared to be a great abuſe, and every one admoniſhed (ſpecifying the Cardinals alſo) to bee content with one onely, and to quit the reſt within ſome ſhort time, and before the Councell end. 5. That the *Plurality* of the leſſer Churches bee taken away, prohibiting it not onely for the future, but for the time paſt alſo, revoking all *Diſpenſations* granted, not excepting *Cardinals* or others, but for juſt and reaſonable cauſes to be produced and proved before the *Ordinarie*. 6. That *Unions* for life, even thoſe that have beene made long ſince, be all revoked, becauſe they induce *Pluralitie*. 7. That every one who hath a Benefice with Cure, or other Benefices which require *Reſidencie*, be deprived if he recide not, without any *Diſpenſation* to be granted, but in caſes permitted by the Law. 8. That whoſoever hath a *Benefice* with *Cure*, may be examined by the Biſhop, and being found to bee illiterate, vicious, or otherwiſe unfit, may bee deprived, and the *Benefice* given to one that is worthy, by a rigorous examination, not at the will of the *Ordinaries*. 9. That hereafter *Benefices* with *Cure* bee not given before examination and inquiſition. 10. That none bee promoted to a Cathedrall Church without proceſſe, to be made in *Partibus*, at the leaſt concerning his birth, life, and manners. 11. That no Biſhop may ordaine in the *Dioceſſe* of another, without leave of the *Ordinarie*, and, in that caſe, may ordaine perſons of that *Dioceſſe* onely.

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The Legates were troubled not onely for that many Articles were ſet on foot, all aiming to reſtraine the authority of the Pope, and make that of the Biſhops greater, but for the importance of the beginning, to give their Petitions in writing; and becauſe many were joyned in the ſame demand, not ſhewing what their meaning was, but only alledging the weight of the things propoſed. They took time to think of it, ſaying, they would not bee idle in the meane while, but eſtabliſh other points of *Reformation*. They gave the Pope a ſtrict account of all things paſt, adding, that the Prelates did every day take more liberty, not refraining to ſpeak of the *Cardinals* without reſpect, and to ſay openly, that it was neceſſary to moderate them, and with ſmall reverence of his *Holineſſe*, that he gave nothing but words, and uſed the Councell to keep the world in hope, and not to make a true *Reformation*: that hereafter it would bee hard to keep them in order, becauſe they had many private Aſſemblies amongſt themſelves. They propoſed to his conſideration, that it would bee good to make ſome effectuall *Reformation* in *Rome*, and publiſh it before the *Seſſion*. They ſent alſo the *Cenſure* of the Spaniards, deſiring him to conſider the importance of their attempt, and whither it might arrive, in regard it was not likely they would bee ſo bold, without they were upheld, and perhaps incited by ſome great Prince. And they deſired to receive commandement what they ſhould do,

The Legates are troubled with the matter of the *Cenſure*, and with the manner.

And give the Pope a ſtrict account of all

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ſaying, their opinion was to perſiſt, and not to yeeld one jot, aſwell for the importance of the matter, as not to open this paſſage, that the Prelates may obtaine, by ſedition and force, that which is not willingly granted them. For that would be to depend on their favour, and incurre the danger of ſome ſiniſtrous accident. That, for matter of diſpenſation, they would not ſuffer themſelves to bee overcome: but in the end, if the oppoſites will not yeeld, all muſt come to voyces, which are not weighed, but numbred. Therefore, not to hazard themſelves, but to bee ſure to overcome in the *Seſſion*, it would bee neceſſary to command ſtraightly, thoſe that are gone to *Venice*, upon pretence to ſpend the beginning of Lent in their owne Churches, but with intention to come no more, that they ſuddenly returne, without replie. For the whole importance of the *Reformation* will conſiſt in the next *Seſſion*, and as the *Mutiners* ſhall then ſucceed, they will reſolve either to oppoſe in other occaſions, or to remaine quiet and obedient.

And deſire him to ſend unto them more of his dependants, that they may overcome by number.

This adviſe being ſent to *Rome*, the Legates, in the next Congregations, propoſed the *Reformation* of divers abuſes. The firſt was of thoſe who take a Benefice and title without Orders, or conſecration anſwerable to them. All deteſted the abuſe, and deſired a remedie. But the Cardinall *Pacceco* ſaid, that all remedie would be in vaine, if *Commendaes* and *Unions* were not removed, it being manifeſt, that a Cathedrall Church might be commended to a Deacon, and hee that would have a Pariſh Church without Orders, may cauſe it to be united to a ſimple Benefice, which requireth them not, and ſo will hold the one in conſequence of the other, without being conſecrated. The other *Reformations* were concerning divers *Exemptions* from the *Viſitations* of Biſhops, from their examinations, from the hearing of civill cauſes, and from the reviſion of the government of *Hoſpitals*. Herein the Legats thought to gaine the favour of the Biſhops, by enlarging their authority. But hee that pretendeth right to all, is commonly offended by the reſtitution of halfe. So the Biſhops, (eſpecially the Spaniards) thought they were wronged, becauſe the *Reformation* was not compleat. Yet they ſpake more reſervedly, in regard the number of the Italians, who adhered to the Legats, did increaſe, and becauſe they expected an anſwer concerning their propoſitions from *Rome*, having diſcovered that they were ſent thither.

The Pope having received the advile, wrote moſt effectuall, but, withall, moſt loving letters to his *Nuncio* at *Venice*, to make the Prelates returne, who were almoſt all in that Citie. Who performed the buſineſſe in ſuch ſort, that all took the journey for a fauour, in regard they were to do his Holineſſe ſo great ſervice. The Pope commanded the Deputies to conſult of the *Spaniſh Cenſure*; and the reſidue, which was of greater importance, together with other things, whereof hee was advertiſed before, he reſerved to his owne determination.

The determination made in *Rome* concerning the Spaniſh cenſure.

The Deputies, weighing the buſineſſe, did conſider that the propoſition made by the Legates, was more honourable, and more profitable, if it did ſucceed, but if not, more pernicious: that it was not wiſdome to run ſo great hazzards, in matters of ſo great moment: and that to denie all, or to grant all, was equally dangerous. Their concluſion was, that if the Legates

gates were not more then certaine to overcome, they might grant part of, or all the underwritten modifications, as occaſion was offered in handling of the buſineſſe: which were digeſted by way of anſwer to every Article of the *Spaniſh Cenſure*. To the firſt, to renew the *Lateran* Councell, in the two points, it ſeemeth that the Prelates may be ſatisfied, ſo that in the reſidue, the Canons that ſhal be made be reaſonable. To the ſecond, to binde the Cardinals to reſidencie, for thoſe who remaine in *Rome*, and actually ſerve the univerſall Church, it is not convenient; and for the others, his *Holineſſe* will make proviſion, as is ſaid in the letters. To the third, to conſtitute that reſidencie is required by the word of God, firſt the Decree being applied to particular Churches, would perhaps not be true: then for the effect, it cannot chooſe but make greater confuſion, there being a contradiction, that the Decree ſhould bee made, and the contrary permitted, at the leaſt tacitely, for halfe of the yeare. To the fourth, to declare the plurality of the Cathedrall Churches to bee an abuſe, the ſame anſwer may be made as unto the third, and for the Cardinals, his Holineſſe will provide, as hath beene ſaid before. To the fifth, of the plurality of the leſſer Churches, the proviſion propoſed by the Legates ſeemeth to be ſufficient, and yet, if for the time paſt it be thought fit to make it more ſevere, his Holineſſe is contented: who doth advertiſe them, that too much ſeveritie in this part may work a contrary effect, by the reſiſtance which is like to bee made by thoſe who are in poſſeſsion: and doth conſider withall, that ſimply to leave the judicature of the diſpenſations to the Ordinaries, may cauſe abuſe, and bring forth no other effect, then the increaſe of their authority. To the ſixth, to revoke the *Unions* for life, howſoever his Holineſſe thought to make a fit proviſion therein, yet if it bee deſired to make them all away, it may bee granted, ſo that a convenient time be given to the poſſeſſors to diſpoſe of the Benefices. To the ſeventh, that non-reſidencie in Benefices with *Cure*, ſhould preciſely carie with it *Deprivation*, without any *Diſpenſation* to bee granted, but in caſes permitted by the Law, is too rigorous, and would bee obſerved very hardly, in caſe it ſhould be determined. To the eighth, that he that hath a Benefice with *Cure*, if it be found he is unlearned, or vicious, may be deprived by the Ordinary, it being underſtood of ſuch inability, as by the Law doth deſerve it, it may be granted; otherwiſe the demand is not honeſt, becauſe all would bee left to the conſcience of the *Ordinaries*. To the ninth, that Benefices with *Cure* bee not given before diligent examination, in regard it is neceſſary to leave the manner and quality thereof to the conſcience of him who is to conferre the Benefices, it ſeemeth that to make any other Decree herein, is ſuperfluous or unprofitable. To the tenth, to make the Proceſſe in *partibus*, concerning thoſe who are promoted to Cathedrall Churches, there appeareth no fruit of this diligence, it being as eaſie to finde a falſe witneſſe in *partibus*, as at *Rome*: where, becauſe every thing may bee ſufficiently examined, it is ſuperfluous to ſeek further. To the eleventh, that none be ordained but by his owne Biſhop, it ſeemeth that the *Bull* may ſuffice, becauſe it doth provide many wayes againſt the inconveniences pretended in this point.

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The Pope did preſently diſpatch the anſwer to *Trent*, leaving it to the diſcretion of the Legates to reſolve, by the counſell of their friends, what they

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thought fit to grant according to occaſions, either part, or all, ſo that they conteined themſelves within the limits ſet downe by the Deputies in *Rome*: or to denie all, in caſe they found themſelves able to do it. He adviſed them of the requeſt made to thoſe in *Venice*, and that they ſhould hold the Seſsion in the due time, wholly omitting the doctrine of the Sacraments, and publiſhing the *Anathematiſmes* onely, in which they are all agreed, becauſe the doctrine cannot be expounded without danger. That they ſhould leave wholly the Decree of the abuſes of the Sacraments, of Baptiſme and Confirmation, it being impoſsible to touch that ſtring, without offending the whole order of poore Prieſts and Friars, and giving the Hereticks too great a conqueſt, by confeſsing they had formerly approved ſuch notable abſurdities. He concluded, that they ſhould labour to make the Seſsion as quiet as was poſsible, but yet with the honour of the Apoſtolique Sea.

The Pope is troubled with the advices ſent from the Councell, and from his *Nuncio* in *Germany*.

Afterwards the Pope, conſidering with himſelfe and with his inward friends, the advices ſent unto him from *Trent*, and from his *Nuncio* in *Germany*, was full of ſuſpicion, that the Councell would produce ſome great monſter, to the prejudice of himſelfe, and the Papacie. He conſidered the factions amongſt the Divines, eſpecially Dominicans and Franciſcans, ancient enemies, and contrary in doctrine, and feared that, taking courage in the Councell, they would go beyond the bounds of thoſe contentions, which have been hardly compoſed by the wiſer ſort: whoſe differences being no leſſe then thoſe with the Lutherans, and themſelves very bold in taxing one another, except paines were alwayes taken to make them agree, there would bee danger of ſome great inconvenience. He was much troubled with the diſputation of *Reſidencie*, whether it be required *jure divino*; and with the boldneſſe of Friar *Bartholomew Caranza*, who being encouraged by many, dared to call the contrary opinion, the doctrine of Divels. He ſaw how eaſily ſuch another miſchiefe as that of *Luther* might ariſe, and that if an Article of faith were made of reſidencie, the Papacie was reduced to nothing. He conſidered, that all the reformations aimed to reſtraine the Popes authority, and to enlarge the power of the Biſhops, and how little himſelfe was eſteemed, in that the Councell having given hope to referre the *Reformation* to him, whereof hee had framed a Bull, and recalled the whole matter to *Rome*, they had after treated thereof more ſharply, without any reſpect of his authority. Hee had great ſuſpicion of the ſpirit and courage of the Spaniards, conſidering the qualities of that wiſe Nation; that it doth not work by chance, that it maketh greater ſhew of reverence then it beareth, that it ſtandeth united in it ſelfe, and ſteppeth not one foot forward, without looking a great way before them. It ſeemed to him a great matter, that they met together, and had made a common cenſure; and thought it probable that this webbe was ſecretly ſpun by the Emperour, in regard his Ambaſſadour did daily treat with them. He ſuſpected the Emperour alſo for his preſent proſperity, which ordinarily doth make men not able to ſet bounds to their deſignes. He conſidered his connivencie at Religion, and thought it was to gaine the Lutherans favour. Hee remembred the complaints uſed not onely by the Emperour, but by his Miniſters alſo, when the Italian Souldiers departed, that hee was abandoned in time of need; and

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he knew that he attributed the ſedition of *Genua* to his ſonne, the Duke of *Piacenza*. But he weighed above all, his words uſed to the *Nuncio*, that hee had no greater enemie then the Pope. He feared that when he had eſtabliſhed an abſolute authority in *Germany*, he would think to do the like in *Italy*, making uſe of the Councell to ſuppreſſe the Papacie. He ſaw that all was in his power, in regard of the incurable indiſpoſition of the French King, and his approaching death. Of the Dolphin, being young, and not experienced, hee knew not what to promiſe himſelfe: and was aſſured that the Prelats, who did untill then adhere to the Court of *Rome*, whenſoever the Emperour ſhould unmaske himſelfe, would profeſſe to be on his ſide, either for feare of greater power, or for emulation at the Popes greatneſſe: which they would diſcover, when they ſhould ſee a ſecure way laid open to moderate it.

And after conſultation reſolveth to tranſlate the Synod to *Bolonia*.

Theſe reſpects made him reſolve to ſecure himſelfe in ſome ſort of the Councell. To end it, did not ſeeme ſeaſonable, in regard there did remaine ſo many things to be handled. The *Suſpenſion* did require ſome great cauſe, and would bee to little purpoſe, in regard hee ſhould bee preſently deſired to to take it away. To tranſlate it to a place where himſelfe had abſolute authoritie ſeemed the beſt councell. And ſeeing this was to be done, hee would ſo do it, as that all danger ſhould be prevented: which could not bee, if the Councell were not celebrated within his owne territories. Hee did not think *Rome* was fit, becauſe it would raiſe too much diſcourſe in *Germany*. *Bolonia* ſeemed the beſt place, becauſe it was neare the Mountaines, fertile, and of great receipt. For the manner, he reſolved to conceale his owne perſon, and to cauſe it to bee done by the Legates, by the authority given them in the Bull, dated the 22. of February, and ſent unto them in Auguſt 1545. For doing ſo, if the *Tranſlation* were oppoſed, the Legates would be blamed, and himſelfe, as not intereſſed, might the more eaſily uphold them: and if by accident he ſhould change his opinion, he might do it without diſhonour. Being thus reſolved, he ſent a private Gentleman of the family of the Cardinall of *Monte* with letters of credit, to do this ambaſſage to both the Legates: commanding him, not to arrive there before the *Seſſion*, and then to give them authoritie to tranſlate the Councell to *Bolonia*, making ſome apparant cauſe to ariſe, or making uſe of ſome cauſe already in being; putting it in execution ſo quickly, that, after the enterpriſe begun, they ſhould conclude before any impediment could be interpoſed.

The Emperor doth leave to temporize with the Archbiſhop of *Collen*.

But in *Germany*, a great part of thoſe Cities about the *Rhine*, having made compoſition with the Emperour, and the Elector *Palatine* cauſed his miniſters to deſiſt, the Emperour ſeeing himſelfe now able to exclude the Arch-biſhop of *Collen*, ſent two Commiſſaries, to aſſemble all the orders of his State, and to cauſe them to abandon him, and to receive for their Arch-biſhop, Prince *Adolphus*, his coadjutour, yeelding obedince, and ſwearing fidelitie unto him. The Clergie was readie to do it, for the cauſes before recited: but the Nobilitie and Ambaſſadours of the Cities refuſed, ſaying, they could not abandon a Prince unto whom they had ſworne. The Duke of *Cleues* bordering upon him, ſent to the Arch-Biſhop, and cauſed the chiefe of the Nobility to go thither alſo, to pray him to finde a meanes that the whole State

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State might not bee diſſolved, with the great dammage of the neighbour Countries. The Arch-biſhop moved with compaſsion, to free the State from warre, and that the innocent people might not ſuffer, did generouſly renounce the State, and abſolve his ſubjects from the oath; and ſo *Adolphus* was received for his ſucceſſor, whom he had alwayes loved as his brother, and communicated to him whatſoever he had done for reformation of the Church; who was now of another opinion, either becauſe he was truly changed, or for ſome other reſpect.

Who doth generouſly renounce his ſtate.

Thanks given to God, and great joy in *Trent*, for the death of the K. of England.

In February, newes came to *Trent* of the death of the King of England, which happened the moneth before. The Fathers gave thanks to GOD, and went almoſt all to the Biſhop of *Worceſter*, congratulating that himſelfe and the Kingdome were (as they ſaid) delivered from the tyranny of a cruell perſecutor, ſaying, it was a miracle that he had left a ſonne of but nine yeares of age, that he might not be able to tread in his Fathers ſteps. And it is true that hee did not tread in them all. For *Henry*, though he had wholly taken away the Popes authority, and puniſhed his adherents capitally, yet hee did ever conſtantly retaine all the reſidue of the doctrine of the Church of *Rome*. But *Edward* (for ſo his ſonnes name was) governed by his Uncle on the mothers ſide, the Duke of *Somerſet*, who was inclined to the doctrine of the Proteſtants, changed Religion, as ſhall be ſaid in its place.

The Popes letters being come, the Cardinal *Sancta Croce* was of opinion, that it was good to mollifie the Prelates combined, by granting ſome of the petitions, which were granted from *Rome*, thinking they would eaſily bee pacified with that determination. The Cardinall of *Monte* ſaid, that to condeſcend to an inferior (eſpecially to a multitude) was to make them pretend a greater ſatisfaction; that firſt he would trie his friends, and when he found he was fortified with the greater number, he would not retire an inch; but if he found it otherwiſe, he would uſe art. After many diſcourſes, as it hapneth between colleagues, *Sancta Croce* yeelded to *Monte*, who was more paſsionate. They received advice, that the abſent Prelates would be returned before the end of February, whoſe minds were founded, and many of them were found to adhere to the Pope. Theſe being confirmed with hope, and others enſnared with the ſame bait, that the Pope would take notice of every ones merit, they cauſed the Decree to be made, with fifteene heads, and propoſed it in Congregation.

A decree containing 15. heads, is propoſed in Congregation.

By this, greater difficulties were raiſed. In the Proheme, by this exception; Saving alwayes the Apoſtolicall authority, in all things. Every foole ſaw at what it aimed, and that it inferred a pertinacious obſtinacie in the abuſes which they ought to remedie, by preſerving their cauſes. Yet none durſt oppoſe, but the Biſhop of *Badacoz*, who ſaid, it had need of declaration, becauſe the Councell ought not, nor could impeach the authority of any, much leſſe of the Apoſtolike Sea, acknowledged for *Head* of all the Catholiques. But it ſeemed that the words there placed did ſignifie, that in *Rome* the proceeding ſhould be in thoſe things as before, and that the moderation ſhould not have power over diſpenſations, and other inventions, by which the authoritie of the old Canons hath beene alwayes weakened. In defence of the exception it was ſaid, that the Lawes of Councels are not as the Lawes naturall,

And is there oppoſed.

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where equitie and rigour are the ſame thing, that they are ſubject to the common defect of all Lawes, which by reaſon of their univerſalitie ought to be moderated by equitie in caſes not foreſeene, when it would be unjuſt to put them in execution. But becauſe there is not alwayes a Councell, to which recourſe may be had, nor it being poſſible to attend this, when there is one, the Popes authority is neceſſary. It was replyed, that though all Lawes have the defect of univerſalitie, yet all were publiſhed without exceptions; that ſo they ſhould now do, or otherwiſe it were as much as to ſay, that ordinarily, and not onely in rare caſes, and not foreſeene, the Pope might diſpence with the contrary. 1547 PAUL 3. CHARLES 5 EDVVARD 6 FRANCIS 1.

This opinion was not onely approved by all, who in their conſcience thought it true, whereupon the Legat *Monte* taking courage, ſaid it was a ſubtiltie, not to attribute as much to the Apoſtolike Sea, as they were bound, and ſo he made them all ſilent. The Biſhop of *Badacoz* demanded, that mention ſhould be made in that Proheme, that the Article of reſidencie was not quite left off, but deferred onely. The Legates anſwered, that this was a diſtruſt of their promiſes, and a vaine Obligation to do that which was alwayes in their power: Yet, to ſatisfie ſo great a deſire, hee ſaid it ſhould bee added in the Proheme, that all was decreed in proſecuting the point of reſidencie, which they had begun; whereby it would appeare that it was not ended in the other Seſſion, and that part did remaine to be handled. But the oppoſers are ſilenced.

Concerning the *Heads* of the qualities of Biſhops and other Curates, the Arch-biſhop *Torre* ſaid, that they did not onely remedie the corruptions brought in, but did weaken the ancient remedies. For with ſuch generall termes of age, manners, knowledge, abilitie and worth, every one might bee canonized for an able man; and to alledge the Decrees of *Alexander*, was to nullifie all other Canons, which preſcribe other conditions. For when one is alwayes named, and the others purpoſely concealed, it ſeemeth that there is ſome derogation to theſe; that it was neceſſary to ſay plainely what this gravitie of manners, and knowledge of letters is: which if it were done, every Courtier would bee excluded for ever. That the manners requiſite are well repeated by Saint *Paul*, and yet not regarded. The learning and Doctorſhip, which S. *Paul* requireth, is the knowledge of Chriſtian Doctrine, and of the holy Writ: that *Honorius* the third is not to be imitated, who deprived a Biſhop of the lower *Saxonie*, becauſe hee had not learned Grammer, nor ever read *Donatus*. For the gloſſe, ſaith he, could not teach the people Grammer; as if Sermons were to be made by Grammer rules, and not according to the Goſpel. The Biſhop of *Hueſca* added, that neither the reference to, nor the allegation of the Decretals or conſtitutions did pleaſe him. For it is done, either to give greater authority to them, or to receive it from them, or to make one aggregate of theſe, and the Synod, of greater force; and that all theſe wayes it was unfit, becauſe the authoritie of both would bee diminiſhed. That then it was fit to do it, when the conſtitution was too long to bee repeated: but when it did containe but the ſame thing, there was no cauſe for it, in regard it would cauſe undeterminable contentions, by diſputing whether thoſe conſtitutions bee approved as the letter doth Diſcourſes about the qualities of Biſhops and Curates.

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doth ſimply ſound, or with the limitations and ampliations of the Doctors, and with the divers interpretations, which is to confound the world. That they have need of Decrees which may cauſe peace, charity, and a ſerious reformation in the Church, not which may give occaſion of ſtrifes, and new inconveniences. To what purpoſe were it now to inflict upon the Ordinaries, the puniſhment of the Chapter, *Grave nimis*, the execution whereof is committed to the Provinciall Councels, which are diſuſed, if order bee not taken to bring them in uſe againe? Then the Benefices conferred by the Ordinary, by reaſon of divers reſervations, being fewer then a tenth part, why ſhould proviſion be made in this, and the abuſe ſuffered to run in the nine tenths, which the Court doth conferre? Likewiſe in matter of *Pluralitie*, to approve the conſtitution, *De multa*, is to eſtabliſh it the more, becauſe diſpenſations are permitted in that.

A diſpute whether the Cardinals ought to be ſpecified in the reformation.

The Articles were much diſputed on. The Spaniards did require, that the Cardinals ſhould be ſpecified; but anſwer was made, that it was not convenient, in regard of the greatneſſe of the Order, being the chiefeſt in the Church, and repleniſhed with men of ſingular merit, to ſhew ſo plainly that there were corruptions in it, worthy of amendment, and that they did not amend themſelves. But it was ſufficient to do it in generall termes, which ſhould include them alſo; as to command every one, of what dignitie, degree, or preeminence ſoever. Others ſaid to the contrary, that the Canoniſts have declared, that the Cardinals are not conteined under any generall termes, if they be not expreſſed by name, and therefore that there was no other way to provide againſt the bad example which the world taketh, but to reforme them in particular. That there is ſmall need to reforme the inferiour Clergie, whoſe corruptions are but ſmall, and themſelves, as it were, compelled to imitate the greater Prelats. That in curing a ſick body, one ought to begin with the greater diſeaſes, and the more principall parts, which being healed, the others will heale of themſelves, or will need but light medicines. For the abuſe of perpetuall *Unions*, they ſaid it was ſufficiently provided, by referring to the Biſhops the examination of thoſe which are already made, and by preſuming them to be ſurreptitious, which are not grounded upon reaſonable cauſes. But all was overthrowne by the modification following, that is, if the Apoſtolique Sea ſhould not think otherwiſe: for this was to eſtabliſh them, and to put the Biſhop to trouble and charge. It was deſired againe, that *Unions* for life ſhould be prohibited, and thoſe nullified which are already made.

But the major part did approve the Decrees as they were propoſed, ſome for the good affection they bare to *Rome*, and ſome becauſe they had beene perſwaded, and ſome good men alſo, who were promiſed, that the Pope, by his Bull, would take away both theſe and many other diſorders: but that, for reputation of the holy Sea, he ought to do it himſelfe, and not ſeeme to bee compelled to receive lawes from the Synod, againſt his will. And theſe put together were three quarters of the whole number of the Synod. The time of the *Seſſion* approaching, and the *Anathematiſmes* being read over againe, ſome required that the doctrine ſhould be added, and ſome demanded why the Decree of the abuſes was not reſolved on. To theſe it was ſaid,

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ſaid, that the matter was not well diſcuſſed, and that it was more fit to handle them after all the Sacraments, giving remedy withall to the abuſes occurring in the miniſtery of every one, and to the generall abuſes of them all. In giving a reaſon why the doctrine was omitted, the moſt concluding argument was, that ſo it was done in the Seſſion concerning originall ſinne, and that a doctrinall declaration is neceſſary, when the *Anathematiſmes* cannot be underſtood without it; therefore that it was neceſſary in the Decree of juſtification; but in this of the Sacraments, the *Anathematiſmes* be ſo plaine of themſelves, that they may ſerve alſo for doctrine. The approaching of the time, and the conſent of the major part, made them reſolve for this opinion, and compelled them to bee ſilent who demanded the doctrine, and the reformation of the forenamed abuſes.

The Seſſion, March the 3.

The Decrees being made, though with theſe difficulties, and the third of March being come, and the Prelats, according to their uſuall order, aſſembled in the Church, to celebrate the *Seſsion*, *James Coccus*, Archbiſhop of *Corfu*, ſaid Maſſe, *Coriolanus Martiranus*, Biſhop of Saint *Mark*, was to make the Sermon, who for the diſtaſtes received in the Congregation, thinking he could not well bee preſent, and not perſiſt in the ſame opinion, in regard it was not ſecure to contradict in publike Seſſion, he made choiſe to faine ſome indiſpoſition, and ſo to be abſent: by which meanes there was no Sermon that morning: as if amongſt ſixty Biſhops, thirty Friars, exerciſed in preaching, not one was able to ſpeak foure words with premeditation of foure houres. And it was noted in the Acts, that there was no Sermon, becauſe the Biſhop of Saint *Mark*, deputed to make it, was hoarſe, and ſo it was Printed. Which as it ought to bee attributed onely to the pleaſant yaine of the Secretary, who wrote it, ſo it is a ſure argument, that they did not then think the time would come, when all the actions of that Aſſembly ſhould be eſteemed equall to thoſe of the Apoſtles, when they met together, expecting the comming of the holy Ghoſt.

A jeſting act concerning the Biſhop of S. *Mark*.

When the Maſſe and other ceremonies were ended, the two Decrees were read.

The Decrees are read.

The firſt concerning Faith, contained in ſubſtance. That for complement of the doctrine, defined in the former *Seſsion*, it was meet to handle the Sacraments; and, the better to extirpate the hereſies, the Synod did for the preſent conſtitute the Canons following, meaning to adde others afterward, when time ſhould ſerve.

The Canons of the Sacraments in generall.

The *Canons*, or the *Anathematiſmes* of the *Sacraments* in general, where thirteene. 1. Againſt him that ſaith, that the *Sacraments* of the new Law, have not beene all inſtituted by CHRIST, or that they are more or leſſe then ſeven, or that any of them is not truly and properly a Sacrament. 2. And that they differ not from thoſe of the old Law, but in the ceremonies and rites. 3. And that none of them is, in no reſpect, more worthy then another. 4. That they are not neceſſary to ſalvation, and that the grace of God may bee gained by faith alone, without them, or without any purpoſe to receive them. 5. That they are ordained onely to nouriſh faith. 6. That they do not conteine in them the grace ſignified, or do not give it to him that doth not reſiſt, but are externall ſignes of juſtice, and *Characters* of a Chriſtian

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an profeſſion, to diſcerne the faithfull from Infidels. 7. That grace is not alwayes given by the Sacraments, nor unto all, for as much as belongeth to God, though they be lawfully received. 8. That by Sacraments *Grace* is not given, in vertue of the adminiſtration of them; called, *Opus operatum*: but that it ſufficeth onely to beleeve the promiſe. 9. That in *Baptiſme*, *Confirmation*, and *Order*, no indeleble *Character* is imprinted in the ſoule, for which cauſe they can be received but once. 10. That all Chriſtians have power to adminiſter the *Word* and all the *Sacraments*. 11. That in miniſtring the Sacraments, the Miniſters intention, at the leaſt to do what the Church doth, is not neceſſary. 12. That the Miniſter, who is in mortall ſinne, giveth not the true Sacrament, though hee obſerve all things neceſſary. 13. That the uſuall rites, approved by the Church, may be deſpiſed, or omitted, or changed for others, by every Paſtour.

The Canons of Baptiſme

Of Baptiſme there were foureteene *Anathematiſmes*. 1. Againſt him that ſaith the Baptiſme of *John* had the ſame vertue with that of Chriſt. 2. That true and naturall water is not neceſſary to Baptiſme. 3. That in the Church of *Rome*, which is the *Mother* and *Miſtris* of all the Churches, there is not to bee found the true doctrine of Baptiſme. 4. That *Baptiſme*, given by heretiques, *in the name of the Father, Sonne, and holy Ghoſt*, with intention to do what the Church doth, is not true *Baptiſme*. 5. That the *Baptiſme* is free, that is, not neceſſary to ſalvation. 6. That the baptized cannot loſe Grace, though hee ſinne, ſo that hee leave not to beleeve. 7. That the baptized are bound onely to beleeve, and not to obſerve the Law of CHRIST. 8. That they are not bound to obſerve the Lawes of the Church. 9. That by the memory of *Baptiſme*, all vowes made afterwards are of no force, but derogate from faith, and baptiſmall profeſſion. 10. That ſinnes committed after Baptiſme, by faith and memory thereof, are remitted, or made veniall. 11. That Baptiſme is to bee renewed in him who hath denied the faith. 12. That none ſhould be baptized but in the age of CHRIST, or at the time of death. 13. Againſt him who putteth not children baptized in the number of the faithfull, or ſaith they muſt be rebaptiſed at the yeares of diſcretion, or that it is better to omit their Baptiſme untill then. 14. That children baptized, when they come to age, ought to be required to ratifie the promiſe made in their name, and to be left to their will if they refuſe, not compelling them to Chriſtian life, but by denying them other Sacraments.

The Canons of Confirmation.

Of *Confirmation* there were three *Canons*. 1. Againſt him that ſaith it is an idle ceremony, not a Sacrament properly, or that it was formerly uſed, that children might give a publike account of their faith. 2. That to give vertue to the *Chriſme*, is to wrong the *holy Spirit*. 3. That every ſimple Prieſt is the ordinary Miniſter of *Confirmation*, and not the Biſhop onely.

The Decree of Reformation.

After this, the Decree of reformation was read, which in the Acts bare this title. A Canon concerning reſidencie. And it contained in ſubſtance; 1. That no Biſhop be created but of lawfull mattimonie of ripe yeares, learned, and of good behaviour. 2. That none may have or keep more Biſhopricks then one, in *Title*, *Commenda*, or any other way, and whoſoever hath now more then one, ſhall chooſe one, and quit the reſt within ſix months, if they be of the Popes free collation, or elſe within a yeare: otherwiſe

wiſe all ſhall be accounted void but the laſt. 3. That other Benefices, eſpecially with Cure, be given to worthy perſons, able to take charge of ſoules: otherwiſe the ordinary Patron is to be puniſhed. 4. That hereafter whoſoever ſhall receive many incompatible Benefices, by way of *Union* for life, perpetuall *Commenda*, or otherwiſe; or ſhall keep thoſe that he hath received againſt the *Canons*, ſhall be deprived of all. 5. That the diſpenſations of thoſe who have many Benefices with Cure, or incompatible, ſhall be ſhewed to the *Ordinaries*, making proviſion afterwards for the cure of ſoules, and other obligations. 6. That perpetuall *Unions*, made within forty yeares, ſhall bee reviewed by the *Ordinaries*, as delegates; and thoſe that are unjuſt ſhall bee nullified, and thoſe that have not beene in poſſeſsion, or ſhall bee made hereafter, ſhall bee preſumed to bee ſurreptitious, if they bee not made for reaſonable cauſes, and with citation of all that bee intereſſed; and nothing to the contrary of this ſhall bee declared by the Apoſtolique Sea. 7. That Benefices with Cure, united, ſhall bee viſited by the Ordinaries every yeare, and ſhall have Vicars aſsigned, perpetuall or temporall, with ſuch a portion of the fruits as to them ſhall ſeeme meet, without reſpect of Appeales or Exemptions. 8. That the Ordinaries ſhall every yeare by the Apoſtolique authority, viſit the Churches exempted, providing for the care of ſoules, and other duties, without reſpect of Appeale, Priviledges, or Cuſtomes preſcribed. 9. That Biſhops ſhall bee conſecrated within the time ſet downe by the Law, and all prolongations for more then ſix moneths ſhall be void. 10. That the Chapters of Churches, in vacancie of the Biſhoprick, ſhall not grant Dimiſories for Orders, but to him that is obliged to take them, becauſe of a Benefice. 11. That licences to bee promoted by any Biſhop ſhall bee void, if a lawfull cauſe bee not expreſſed, for which they may not be promoted by their owne Biſhop, and, in that caſe, they ſhall bee promoted by a Biſhop that reſideth in his Dioceſſe. 12. That Faculties not to receive due Orders ſhall not ſerve for longer time then a yeare, but in caſes expreſſed in the Law. 13. That men preſented to Benefices, by any Eccleſiaſticall perſon whatſoever, ſhall not bee inſtituted before examination, made by the Ordinaries, except thoſe who are preſented by Univerſities, Colledges, and generall Studies. 14. That in the cauſes of the exempted a certaine forme ſhall bee obſerved, and where the queſtion is of reward, or concerning thoſe who ſue *in forma pauperis*, the Exempted alſo, who have a Judge deputed, ſhall be convented before the Ordinarie: but thoſe who have no Judge deputed, ſhall bee convented in all cauſes. 15. That the Biſhops ſhall take care of the Hoſpitals, that they be well governed by the adminiſtrators, though Exempted, obſerving a certaine forme.

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The Prelats who oppoſed in the Congregations, did the ſame in the Seſſion, but with greater modeſty: deſiring that the degrees of the perſons comprehended might be expreſſed, and that, beſides the proviſions againſt future evils, remedies might be added for the preſent, which are more hurtfull, and dangerous. But the Legats, hearkning unto theſe words as unto idle talke, concluded the Seſsion, and appointed the next for the 21. of Aprill.

A modeſt oppoſition is made, but not regarded by the Legats.

The ſame day the Popes meſſenger, concealed untill then, even from the Legats, did appeare, and declared to them his credence; and immediatly went

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from *Trent* to *Iſpruc*. The Cardinall *Santa Croce* was confounded; but *Monte*, being without feare, ſaid, that ever knew the Pope to be a wiſe Prince, and that he then ſaw in him the height of judgement, that it was neceſſary to do ſo, if they would preſerve the authority of the Sea Apoſtolike: and therefore that it was fit to ſerve his Holineſſe with fidelity, ſecrecy, and diligence. And it hapned fitly that many in the families of the Prelats were ſick, either by the diſorders of the *Carnoval*, or becauſe the aire had been moiſt many daies before. *Monte* ſuborned ſome to aske the Phyſicians whether thoſe infirmities were not contagious. The Phyſicians, who in their Prognoſticks alwayes ſay the worſt they can, becauſe if they prove true, they ſeeme learned, in having foreſeene them; if not, they ſeeme more learned in remyding or preventing them, ſpake ſome ambiguous word, which was ſtudiouſly ſpread abroad, and beleeved by ſome of the meaner ſort. Some others alſo were credulous of it, eſpecially thoſe who were willing to depart, and therfore wiſhed it were true. And after the Seſsion, a Biſhop dying opportunely, interred with the obſequies of the whole Councell, made the matter more conſpicuous. Whereupon all *Trent* was full, that the diſeaſe was contagious, and the fame was ſpread in all the bordering places. The Legats, to ſhew they had no finger in diſperſing this fame, held a generall Congregation the next day after the Seſsion, to digeſt what ſhould be diſcuſſed concerning the Euchariſt, and, the weeke following, the Congregations of the Divines did begin. But the fame being increaſed, *Monte* gave order to *Hercules Severolo*, Proctor of the Councell, to make a Proces concerning the peſtilent infirmity. The Phyſicians were examined, and *Jeronimus Fracaſtorius*, amongſt others, who had the title of the Phyſician of the Councell, and other perſons beſides. It was reported that the neighbour places would have no more commerce with the City: which made many Prelats ask leave to depart, either for feare, or for deſire to go from thence by all means. *Monte* gave leave to ſome, that their departure might be alledged as one of the cauſes; others, with whom hee was more familiar, he perſwaded to tarry, indeed, not to want adherents when he ſhould propoſe the Tranſlation of the Councell, but, in ſhew, that the Councel might not diſſolve; & therfore he wiſhed them to require in the Congregations, that ſome order might be taken. The Proces was proſecuted untill the 8. day; when news came, either true or fained, that *Verona* would traffick no more with them, which troubled them all, becauſe they ſhould be as it were all in priſon.

The pretence for the Tranſlation.

Therefore the 9. day a generall Congregation was held concerning this: in which the Proces was read, and a propoſition made, what remedy might bee found that they might not be confined, with a diſeaſe in their houſes, and deprived of victuals and other neceſſaries. Many proteſted they would depart, and could not be held; and, when much had beene ſpoken, *Monte* propoſed the Tranſlation of the Councell, ſaying, he had Apoſtolike authority to do it from the beginning; and cauſed the Popes Bull to be read, directed to the 3. Legates, *Monte*, *Santa Croce*, and *Poole*. In which, having declared that he had eſtabliſhed the Councell in *Trent*, and ſent them thither, as his Legats, and Angels of peace, to the end that ſo godly a work might not bee hindred by the incommoditie of the place, he giveth power to any two of them, in abſence of the third, to tranſlate it into ſome other citie, more commodious, opportune, and ſecure;

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and to command the Prelats, upon censures and punishments, not to proceed any further in *Trent*, but to continue it in the City, unto which they shall transferre it, and to call thither the Prelats, & other persons of the Councel of *Trent*, upon paine of perjury, and other censures set down in the letters of the convocation; and that he will ratifie whatsoever they shall do, any thing to the contrary notwithstanding. The Emperours Prelats answered immediatly, that the disease and the dangers were not so great, that the timerous might have leave to go, untill the opinion were past, which, by the help of God, would vanish quickly, and if the Session were deferred, it was no matter: that many departed the yeare before, for the suspicions of warre, and the Session was deferred more then 6. moneths, and that they might do so now, if there were occasion. And other such reasons they brought. The disputation concerning this was long. When the congregation was ended, the Imperialists, conferring among themselves, and seeking curiously that which before they cared not to know, they smelt out that it was not a generall disease, but a pretence.

The Emperors ministers do discover the plot.

The next day a Congregation was called to consult upon the same matter. It was found, that 11. Prelats were already parted, and they began to speak of the place whither to go. That it should be in *Germany*, all did abhorre. It could not be in the State of any Prince, because they had treated with none. There remained onely the State of the Church. The Legats proposed *Bolonia*; which pleased all those that approved the Translation. The Imperialists did contradict, and some did almost protest: but the major part consented. Some doubted the Pope would take the Translation ill, because it was made without his knowledge. But *Monte* said, that sudden chances, and perils of life are free from these respects, and that hee would undertake the Pope should bee contented. Consideration was had of the Emperour, and other Princes, and it was concluded, that if they made mention of them in the Decree, they gave satisfaction to the reverence which they did owe them: and to satisfie in some sort, those who approved not the Translation, they made some mention of returning. The Decree was proposed by way of deliberation. Doth it please you to declare that this disease is manifest, in regard of the predictions, and other things alledged so notoriously, that the Prelats cannot remaine in this Citie without danger of their life, nor can bee kept here against their will; and because of the departure of many, and protestations of others, by whose departure the Councell would bee dissolved; and for other causes alledged by the Fathers, notoriously true and lawfull; Doth it please you to declare, that, for the security of the Prelats lives, & prosecution of the Councel, it ought to be transferred to *Bolonia*, and is now transferred; & that the Session intimated for the 21. of April, shall be celebrated, and all things prosecuted there, untill the Pope and Councell shall think fit to reduce it into this or some other place, by the advice of the Emperour, the French King, and other Christian Kings and Princes?

A Session is held to read the Decree of the Translation to *Bolonia*.

The next day the Session being held, and the Decree read, 35. Bishops, and three Generals did assent. But the Cardinall *Pacceco*, and 17. other Bishops opposed. Among those that consented there was not one of the Emperours Subjects, but *Michael Saracenus*, a Napolitan, Archb. of *Matera*. But amongst those that consented not, there was *Claudius della Guische*, Bishop of *Mirpois*, and

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Martelli, Biſhop of *Fieſole*, and *Marcus Viguerius*, Biſhop of *Sinigaglia*, whom the Cardinall of *Monte* did upbraid, that his Uncle being drawne from a baſe eſtate to the height of the *Cardinality*, from whence the greatneſſe of his houſe and his owne Biſhoprick did proceed, he did ill requite the Apoſtolike Sea. For anſwer he uſed the words of S. *Paul*, *God is not mocked.* The Legats departed, with the *Croſſe* carried before them, accompanied with the Biſhops of their faction, with ceremonies and prayers.

The *Imperialiſts* were commanded by the Emperours Ambaſſadour, not to depart untill his Majeſtie were informed, & gave them order. In *Rome* the *Court* was glad they were delivered from danger. For there was already great confuſion and ſale made by the poſſeſſors of many Benefices, who ſought to unburthen themſelves, but ſo as that they would loſe no commodity. The Pope ſaid, that having given his Legats power to tranſlate the Councell, and promiſed to ratifie what they ſhould determine, and cauſe it to be executed, and they having judged the infection of the aire to be a lawfull cauſe, he could not chuſe but approve it, and the rather, becauſe the major part of the Prelats did conſent.

What is approved by the Pope.

But none was ſo ſimple, as not to beleeve that all was done by his commandement, it being certaine that nothing, how little ſoever, was handled in the Councell, without order firſt had from *Rome*. For which purpoſe letters comming once every week, and ſome weeks twice, it was not credible, that a matter of that importance was hatched in the Legats brains. Beſides, onely to bring ſo many perſons into a Citie, ſo jealous as *Bolonia*, without conſent of the Prince thereof, ſeemed to bee a thing which the Legats would never have attempted. Many did beleeve that the Bul had not a true date, but was newly made, though the date were old, and with the name of Cardinall *Poole*, to give greater reputation: otherwiſe that clauſe, in which authority is given unto two of them, the other being abſent, to tranſlate the Councell, would ſeeme a kind of Prophecie, that *Poole* ſhould depart a yeare after; and the liberty to transferre it to what Citie they liſted, ſeemed too large, and improbable, conſidering the ſuſpicion alwaies fixed in the mind of the Popes, that the Councell ſhould be celebrated in an unfaithfull Citie ſhewed more then ever by Pope *Paul*, when he did call it. So that it was incredible that he would, unneceſſarily, expoſe himſelf to the diſcretion of another, in a matter of ſo great weight. Yet, following the notes which I have ſeene, as I have ſaid before, I aſſure my ſelfe, that it was made two yeares, and ſent 18. moneths before this time. But that which could not be concealed, and which did ſcandalize every one, was, that by that Bull, it appeared that the Councell was in ſervitude. For if the two Legats could command all the Prelats, at once, to part from *Trent*, and compell them by puniſhments, and cenſures, let any man ſay that can, what liberty they had? The Emperour, hearing the newes, was much diſpleaſed, becauſe it ſeemed, he was deſpiſed, and becauſe he ſaw a weapon taken out of his hand, by managing whereof, according to opportunity, he thought to ſet Religion at peace in *Germany*, and ſo to put it under his obedience. The newes came not to the French King, who the 21. of the ſame moneth changed this life for a better.

The date of the Bull is ſuſpected by many.

It appeareth by the Bull, that the Councell was not free.

The Emperor is offended with the Tranſlation.

The French King dieth.

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THE THIRD BOOK OF THE HISTORY OF THE COUNCELL OF TRENT.

I Am not ignorant of the Lawes of Hiſtories, and how they differ from Annals and Diaries. I know likewiſe that the narration of uniforme accidents breedeth ſatiety in the Writer, and tediouſneſſe in the Reader: and that to recount ſmall matters too particularly, deſerveth the name of a fooliſh knowledge. Yet I obſerve frequent replies, and little narrations in *Homer*, and that, in the expedition of *Cyrus* the younger, *Xenophon* doth more raviſh and inſtruct the minde, by reciting the ſerious and merry diſcourſes of the ſouldiers, then by relating the actions and counſels of Princes. I am of opinion, that every matter hath his proper forme, and that this of mine cannot bee compoſed with ordinary rules. I aſſure my ſelfe, that this work will be read by few, and is of a ſhort life; not ſo much for want of forme, as for the nature of the Subject. And I am ſo perſwaded, by that which I ſee happen in the like things. But not regarding perpetuity, or continuance of time, it ſhall ſuffice mee that it will pleaſe ſome one, to whom I will ſhew it, becauſe I know he will make uſe of it; and I am aſſured that for hereafter, that will happen to it which the conjunctures ſhall comport. The cenſure of the Author concerning this work.

The Prelates remaining in *Trent*, were in great ſuſpence, untill letters came from the Emperour, commending them for contradicting the Tranſlation, and abiding in *Trent*, with expreſſe order not to part from the Citie. They conſulted among themſelves, whether they ſhould do any Conciliarie act: and it was uniformely reſolved, that it would make a ſchiſme, and therefore was not to bee attempted; but that they ought to ſtudy the points, and to expect what opportunity would bring. There paſſed ſome writings betweene the Divines of *Trent*, and of *Bolonia*. Theſe did, with affectation, call it the Synod of *Bolonia*; and thoſe, the holy Synod, be it whereſoever it will. And ſome of them remaine ſtill in Print in *Bolonia*. The Legats, and The Emperours Prelats remaine in *Trent*. Writings paſſe betweene the Prelates of *Trent* and of *Bolonia*.

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other Cardinals of *Rome*, made divers requeſts in private unto ſome of thoſe who remained in *Trent*, to cauſe them to go to *Bolonia*, or, at the leaſt, to make them depart from thence. But they gained none but *Galeatius Florimante*, Biſhop of *Aquila*. They laboured to bring to the *Seſſion* all their friends that parted from *Trent*, and that more ſhould come alſo; which was eaſie to do, by reaſon of the commodious paſſage from *Rome* thither. Divers Congregations were made, in which nothing was handled, but how they might defend the Tranſlation to bee lawfull, and to ſhew that thoſe of *Trent*, were bound to joyne with them.

The firſt Seſſion in *Bolonia*.

The 21. of Aprill being come, the day appointed for the Seſſion, with great concourſe of all the people of *Bolonia*, and much ſolemnity, the Legats, accompanied with thirty foure Biſhops, went to the Councell houſe; where nothing was done, but a Decree read, which ſaid, that it being reſolved in *Trent* to tranſlate the Synod to *Bolonia*, and to celebrate the Seſſion that day, publiſhing Canons in matter of the Sacraments, and of reformation, yet conſidering, that many Prelats of the Councell, were imployed in their Churches, by reaſon of the holy dayes of Eaſter, hoping they will returne ere long, that all may bee done with honour and gravity, the Synod hath deferred the celebration of that Seſſion, untill the ſecond of June, reſerving power to themſelves to abreviate the terme. It was decreed alſo, to write letters in the name of the *holy generall Synod*, to the Fathers remaining in *Trent*, exhorting them to go to *Bolonia*, and to unite themſelves with the Body, from which being ſeparated, they cannot be called an Eccleſiaſticall Congregation, but do give much ſcandall to Chriſtendome. Theſe letters being received in *Trent*, were thought not to bee diſcreet, and did rather exaſperate then mollifie their minds. Therefore they reſolved not to anſwer, for feare of making a contention, and ſo to let the attempt fall; which was aſcribed to the Cardinall of *Monte* his too much liberty, not to the moderation of that Aſſembly.

The Elector of *Saxony* is taken priſoner in battell, and the Landgrave of *Heſſia* doth yeeld.

The Emperour, who was in *Saxonie* with a puiſſant Army, in the very face of that Elector, wholly buſied in martiall affaires, had laid aſide all thoughts of the Councell. And the 24. of the ſame moneth, having put his Armie in order, upon the river *Elb*, called by the Latines *Albi*, came to a ſet battell; where the Duke Elector was wounded and taken priſoner, and his Armie defeated. The Proteſtant forces being weakened hereby, the Landgrave was enforced to yeeld, and ſome few dayes after, by the mediation of his ſonne in law *Mauritius*, and the Elector of *Brandeburg*, did willingly make his perſonall appearance. The Duke was firſt condemned to die as a traytor, and then his life was given him, upon divers hard conditions; all which hee accepted, but his ſubmiſsion to the Councell, in matter of Religion. And *Ceſar* was content, that the others being obſerved, this ſhould bee omitted. Other conditions were propoſed alſo to the Landgrave; amongſt which, one was to obey the Decrees of the Councell of *Trent*; whereunto hee conſented not, but ſubſcribed to referre himſelfe to a godly and free Councell, where the Head and the members might be reformed, which alſo the Duke *Maurice*, and the Elector of *Brandeburg* would do. They were both impriſoned, the Saxon for ever, and the Landgrave during the Emperours pleaſure

The Saxon is condemned to die, but his life is given upon hard conditions.

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ſure. *Ceſar* being made Lord of *Germany* by his victory, became Maſter of a great deale of Artilery, and drew much money from the Cities and Princes; and to give a peaceable forme to what he had atchieved by warre, he ordained a Diet in *Ausburg*.

The Pope is afflicted in minde with the Emperors proſperity.

Theſe things did much afflict the Pope, who conſidered that *Italy* was without help, & remained at the Emperors diſcretion. Yet he was comforted, that having gotten the conqueſt by force, he would be compelled to maintaine it by the ſame means, and could not remove his army from thence very ſoone. In the mean ſpace he had time to treat and agree with the new Freneh King, and the *Italians*, and to ſecure himſelfe. In all theſe troubles he was conſolated, being delivered from feare of the Councell. He commended, above meaſure, the reſolution of the Cardinall *Monte*, to whom he attributed this benefit. He reſolved to ſend into *France*, *Jeronimus Boccaferrius*, a Romane, Cardinall of S. *George*, in ſhew to condole with the King for the death of his father, and to give him joy of the beginning of his Kingdome, but with commiſsion to make intelligence, and confederation with him. The Pope gave the Legat moſt ample power to grant the King all his demands, in matter of Benefices, without regarding the Decrees of the Tridentine Councell. And to be ready to embrace all occaſions, which might ariſe in *Germany*, to trouble the Emperour; and that no reſolution might be taken in the Diet to his prejudice, he ſent *Francis*, Cardinall *Sfondrato*, for Legat, with inſtruction to treat with the Clergie, and to keep them in devotion; to make divers propoſitions to the Emperour, to eſtabliſh the Councell in *Bolonia*; which, if it were not in a place of his owne ſubjection, he feared more then the Emperours Armes in *Italy*.

Maketh a confederation with the new French King.

And ſendeth a Legat into *Germany*.

A great commotion is raiſed in *Naples*, by bringing in the *Inquiſition*.

At this time there was a great ſedition in *Naples*, becauſe the Viceroy, D. *Pedro di Toledo*, deſired to bring the *Inquiſition* into the Kingdome, according to the cuſtome of *Spaine*. The Napolitans reſiſted, and made a ſeditious crie throughout *Naples*, *God ſave the Emperour*, and confound the *Inquiſition*: then, being aſſembled, they choſe a Magiſtrate to defend them, ſaying, That when they yeelded their obedience to the Catholique King, they made an expreſſe capitulation, that cauſes of hereſie ſhould bee cenſured by ordinary Eccleſiaſticall Judges, and that the particular office of the *Inquiſition* ſhould not bee brought in. For this cauſe the Spaniards and Napolitans did ſeditiouſly take Armes, and many were ſlaine, and there was danger of rebellion. When all things were ſet in order, fifty thouſand men being put in Armes, aſſembled by the ſound of Bels, the Spaniards being retired into the Caſtles, and the people fortified with Artillery, in convenient places, there was, as it were, a formall warre, betweene the Citie and the Caſtles. The tumult laſted from the end of May, untill the midſt of July, and more then three hundred perſons were ſlaine on both ſides. In which *interim* the Citie ſent Ambaſſadours to the Emperour and the Pope, offering to yeeld, if they might bee received. It was enough for the Pope to nouriſh the ſedition; which he did with much dexterity, having not forces to maintaine the enterpriſe. But the Cardinall *Theatinus*, Arch-biſhop of that Citie, promiſing them the adherence of all his kindred, who were many and potent, and his owne paines alſo, who, to that purpoſe, would go in perſon, did effectually exhort them not to let ſlip

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an occaſion, ſo profitable for the ſervice of the Church, gaining unto it ſo great a Kingdome. The Spaniards calling ſuccours from divers parts, became more potent, and letters came from the Emperour, that he was content there ſhould be no Inquiſition, and pardoned the Citie, except nineteene, all which hee named but one, whom he would diſcover when time ſerved: yet the Citie paid for a fine a hundred thouſand crownes. Theſe conditions were of neceſsity received, and thoſe few of the nineteene who could bee found, were put to death; and ſo the tumult was appeaſed.

But appeaſed by the Emperour.

The Councell in *Bolonia* proceedeth ſlowly

In *Bolonia* the Legats did not well know as yet what to do; and the Pope had commanded them not to proceed to any action, which might bee oppoſed, or make a diviſion, but to go on ſlowly, deferring the Seſsions, and making ſome Congregations, to ſhew they were not idle. But it was not eaſie to make them in a good forme, to diſcuſſe the point of the Euchariſt, in regard the principall Divines, accuſtomed to handle matters of faith in *Trent*, were wanting. Yet ſome Congregations were held, and divers Divines did ſpeak, but no Decree was framed. There is no cauſe to ſpeak any more of the Reformation, becauſe it was then buried in deep ſilence.

The reformation is wholly forgotten.

The ſecond Seſſion is held and nothing done.

The ſecond of July being come, the Seſsion was celebrated with the ſame ceremonies; where they did nothing but prorogue it, with a Decree like to that of the former, ſhewing that the Synod had deferred it untill that day, becauſe the Fathers were abſent and expected: whereupon, being deſirous to deale lovingly with them, they added another Prorogation, untill the fifteenth of September, not ceaſing in the meane ſpace to examine the points of doctrine and Reformation, reſerving to themſelves power to abbreviate or prolong that terme, though in a private Congregation.

A ſtrong alliance is made betweene the Pope and the French King.

In *France* it was not hard for the Legate to obtaine of the King whatſoever the Pope deſired. For he alſo was no leſſe jealous of the Emperours fortune, and there was good intelligence betweene them, and very ſecret propoſitions did paſſe. Amongſt the publique, one was, that the King ſhould ſend to the Councell of *Bolonia*, as ſoone as might be, as many Prelats as was poſsible. Marriage was contracted betweene *Horatius Farneſe*, the Popes Nephew, and *Diana* the Kings baſtard daughter, of the age of nine yeares. The King ſent nine French Cardinals, to remaine in the Court, to give the Pope reputation, and to nouriſh friendſhip betweene them. The Pope created Cardinals the ſix and twentieth of July, at the Kings inſtance, *Charles di Guiſa*, Archbiſhop of *Reins*, and *Charles* of *Vandoſme*, of the blood royall.

Two Cardinals are created at the kings inſtance

The Emperor holdeth a Diet in *Ausburg*.

In the end of Auguſt *Cæſar* went to *Ausburg* to celebrate the Diet there, having about the Citie the whole Armie of Spaniards and Italians, and ſome companies of foot within the Citie. It began the firſt of September, where the Emperour, deſiring principally to pacifie *Germany*, did impart what he had formerly done in divers Diets, to reconcile it; and how, for this end, he had cauſed the Councell to bee called, and to begin in *Trent*: but that his paines availing nothing, hee was conſtrained to paſſe to another remedie. And becauſe it pleaſed God to give a happy iſſue to his reſolution, reducing *Germany* to thoſe termes that he was aſſured to reforme it, he had aſſembled the Princes for that end. But for that the difference of Religion was cauſe of all thoſe troubles

troubles, it was neceſſary to begin there. The opinions of the Princes in that Diet were divers; for amongſt the Electors the Eccleſiaſtiques deſired and urged, that the Councell of *Trent* ſhould be held, and demanded no condition. The Seculars, adhering to the Lutherans were content with theſe conditions, that it ſhould be free, pious; that the Pope ſhould not preſide, neither in perſon, nor by his Miniſters, ſhould releaſe the oath by which the Biſhops are bound unto him; that the Proteſtant Divines ſhould have a deciding voice, and that the Decrees already made ſhould be re-examined. The other Catholikes demanded that the Councell ſhould be continued, and the Proteſtants have ſafe conduct to go thither, and ſpeak freely, and be inforced to obey the Decrees.

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In which the Princes differ in opinion.

While the Pope was in expectation of the ſucceſſe of the Diet in *Germany*, the 10. of September, his ſonne, *Petras Aloiſius*, Duke of *Piacenza*, was ſlaine in his owne palace, by conſpiracie, and his body ignominiouſly expoſed; and ſome few houres after, ſouldiers came from *Milan*, ſent by the Vice-Duke *Ferrandus Gonzaga*, who made themſelves Lords of the Citie. This afflicted the Pope above meaſure, not ſo much for the death of his ſonne, and the ignominie, as for the loſſe of the Citie, and becauſe he ſaw plainely that all was done with the Emperours knowledge.

The Popes ſonne is murdered in his owne palace, and his Citie *Piacenza* poſſeſſed by the governour of *Milan*.

But the Legates in *Bolonia* thought, that in this affliction and buſineſſe of the Pope, it was not fit to write two letters every weeke, of what did paſſe in the Councell, as they were wont, and therefore that it was convenient to prorogue the Seſsion for a long time, and to intermit all Acts of the Councell; which would be done with honour enough, if the Seſsion, intimated for the fifteenth, were celebrated, and the next deferred. Yet the publique griefe for the Dukes death, requiring that no ſolemnity ſhould bee made, they deemed it was better to anticipate, and deferre it in a Congregation. Therefore the fourteenth, the Prelates being all called into the houſe, where the Cardinall of *Monte* was lodged, hee ſpake unto them thus in ſubſtance. That the morrow was appointed for the Seſsion, but every one ſaw in what ſtraits the Synod was; that not many Prelates are arrived, who are in their journey, eſpecially the French-men, and thoſe who are lately come, are not well informed, yea, even thoſe who have beene preſent the whole Summer, at the diſputation of the leſſer Divines, are not well in order: whereunto was to bee added the cruell murder of the Duke, which held every one in ſuſpence, and themſelves buſied in providing for the ſecurity of the Cities belonging to the Church: that hee was glad hee had reſerved power to prorogue the Seſsion, that they may bee freed from the paines of going to the Church to celebrate it: that his advice was, yea, that it was neceſſary to make uſe of that reſervation, prolonging the Seſsion now, and not celebrating it to morrow. The prorogation pleaſed all the Fathers. The Cardinall added, that having conſidered much of it, they were not able to ſet downe a certaine day whereon to reſt: that when they were in *Trent*, thinking to diſpatch the Decree of Juſtification in fifteene dayes, they were faine to ſweate in the buſineſſe ſeven moneths together, oftentimes making two Congregations every day: that where the queſtion is of faith, and confounding the hereticks, one ought to go with leaden feet, and often to employ much time

C. *Monte* maketh a ſpeech to the Fathers in his owne lodging for prorogation of the Seſsion.

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in diſcuſsing a little word; that one cannot know whether it will bee neceſſary to celebrate the Seſsion within few dayes, or not within many moneths; therefore that his opinion was to prorogue it during pleaſure of the Councell; and that this reſolution was undoubtedly the beſt. And if any ſay, that, the perfixed time being knowne, one might better diſpoſe of his buſineſſe, theſe may aſſure themſelves, that it will appeare within few dayes, what courſe and progreſſe the Synod is like to have. All were content it ſhould bee prorogued, during the Councels pleaſure, and ſo they had leave to depart.

The Prelates aſſembled in the Diet write to the Pope to reſtore the Synod to *Trent*.

The Prelats of *Germany*, aſſembled in the Diet the very ſame day, wrote to the Pope, for ſo the Emperours pleaſure was, demanding that the Councell ſhould be brought back to *Trent*. In the letter was mixture of prayers and threats. It expounded the bad eſtate and danger of *Germany*, againſt which proviſion might have beene made, if the remedy of the Councell had beene applied in time, and held in *Germany*, as was deſired. For having ample juriſdictions, they could not long remaine in remote places, for which cauſe none went to *Mantua*, or *Vicenza*, and but few to *Trent*, a Citie which belongeth alſo rather to *Italy*, eſpecially in time of warre. Now, all things being in peace, they conceived great hope, that the ſhip was ſafe in the haven, when, beyond all expectation, they underſtood the Councell, in which all their hope conſiſted, was tranſlated to another place, or rather divided. Therefore being deprived of this remedy, there did nothing remaine, but to haue recourſe to the Apoſtollque Church, praying his Holineſſe, for the ſafety of *Germany*, to reſtore the Councell to *Trent*; which if hee did, there was no ſervice which hee might not promiſe himſelfe from them; and that otherwiſe they knew not whither to flee for aid, againſt the miſchiefes and dangers that were imminent; that therefore he would vouchſafe to conſider of their demand, and think that if he made not proviſion, it was very poſsible they ſhould think of other courſes, to put an end to theſe difficulties: Praying his Holineſſe to take their Letter in good part, being compelled to write thus by their owne duty, and by the condition of the times.

The Emperor obtaineth of the Princes, and *Granuel* of the Cities, a conditionall ſubmiſſion to the Councell.

Moreover, the Emperour uſed all diligence that all ſhould ſubmit to the Councell, urging, praying, and deſiring them to relie upon his credit. His prayers to the Elector *Palatine* were a kinde of threats, in regard of his former offence, lately pardoned. *Maurice*, Duke of *Saxonie*, was neceſſarily to yeeld, becauſe of ſo great benefits newly received from his Majeſty, and becauſe hee deſired the enlargement of the *Landgrave*, his wives father. Therefore the Emperor, having promiſed they ſhould have due ſatisfaction, and deſiring them to truſt unto him, they finally conſented, & were followed by the Ambaſſadors of the Elector of *Brandeburg*, and by all the Princes. The Cities refuſed (becauſe they thought it very dangerous) to ſubmit themſelves indifferently to all the Decrees of the Councell. *Granuel* did negotiate very much, and very long, with their Ambaſſadours, holding them obſtinate, in refuſing what the Princes had approved, adding ſome threats, to condemne them in a greater ſumme then they had already paid. Therefore they were compelled, in fine, to condeſcend to *Cæſars* will; yet with caution of obſerving the promiſes.

promiſes. Being called before the Emperour, and demanded if they would conforme themſelves to the reſolution of the Princes, they anſwered, they ſhould be too bold, if they went about to correct their anſwer, and, withall, gave up a writing, which conteined the conditions with which they would receive the Councell. This was taken, but not read, and they were commended, in the Emperours name, by his Chancellour, for that they had referred all to *Cæſar*, as others had done, and relied upon him: and the Emperour himſelfe made ſhew to bee well pleaſed with it: ſo the one and the other party was willing to be deceived. 1547 PAUL 3. CHARLES 5 EDVVARD 6 HENRY 2.

The negotiation of Card. *Sfondrato* with the Emperour.

The Cardinall *Sfondrato* failed not of his duty, in propoſing many advantages to the Emperour, in caſe he would conſent to the Councell in *Bolonia*; he ſhewed him in what confuſions *England* was, being under a King who was a child, whoſe governours were at variance, and people in diſtruſt one of another, becauſe of Religion: he diſcovered unto him the intelligence which the Pope held in that Kingdome, all which ſhould bee to his favour, and that hee would aſſiſt him in that enterpriſe with men and ſhips, and would give him leave to make uſe of the Eccleſiaſticall rents of all his States. The Emperour knew the Popes aime was to intangle him in a new enterpriſe, and ſo to trouble him in that which he had already brought to a concluſion. Therefore hee anſwered, that hee would bee united with the Pope in Religion, but, in point of warre, was reſolute to proceed alone, and not to bee his Captaine, who would abandon him in the beſt time of ſervice, as he had done in the warre of *Germany*. And, on the other ſide, he propoſed divers advantages to to the Pope, in caſe he would conſent to the returne of the Councell to *Trent*. The Legate having anſwered, hee had no commiſsion herein, the Emperour ſent, in diligence, the Cardinall of *Trent* to the Pope, to negotiate the reſtitution of the Councell, and other particulars, which ſhall be related. The Pope having heard him often, and not being able to diſcover his intention, did finally anſwer him, that he ſhould ſpeak hereof in the Conſiſtory.

And of the Cardinall of *Trent* with the Pope.

The Cardinall having, the ninth of December, in preſence of the whole Colledge, declared what paines and dangers, the Emperour had undergone, onely to mantaine the dignity of the Councell; and how, finally, by his diligence and authority, hee had induced all the Princes and States of *Germany* to adhere and ſubmit themſelves unto it: hee prayed his Holineſſe, in the name of *Cæſar*, *Ferdinand*, and the whole Empire, that, for the love of God, he would cauſe the Biſhops who were at *Bolonia*, to returne to *Trent*, to finiſh the neceſſary work begun, and would be pleaſed to ſend one or two Legates into *Germany*, with full Pontificall power, not keeping from them any *Faculty*, that the manner of living, untill the Councell began, might be ſet downe by their advice, and the Clergie reformed; that he would have conſideration, and determine, if the Sea were vacant, during the time of the Councell, whether the Fathers thereof, or Cardinals, ſhould elect the Pope, that, in caſe it ſhould happen, no new ſtirres might ariſe. This third point was added, to put the Pope in minde of his old age, and approaching death, and ſo to make him condeſcend more eaſily, that his poſterity might not inherit the diſpleaſure which the Emperour took at his reniteney. The

The Pope is put in minde of his old age.

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Pope, in anſwer of theſe propoſitions, commended the Emperors good will, and his paines, for pulike ſervice of the Church, concluding hee would have ſuch conſideration of theſe propoſitions, as they deſerved, and reſolve, as God would inſpire him. The Cardinall, having in divers private audiences, aſſayed in vaine to have ſome good reſolution from the Pope, leaving the inſtruction to *Don Diego di Mendoza*, whom the Emperor had cauſed to go for that purpoſe to *Rome* from *Siena*, where he was to accommodate the differences of that Republique, he departed, and returned to *Ausburg*. *Don Diego*, in publike Conſiſtory, aſſembled to give the Cap to the Cardinall of *Guiſe*, where all ſorts of men might be preſent, preſented himſelfe before the Pope, and expounded unto him the ſame things, which the Cardinall had done, adding, that he had commiſsion, in caſe his Holineſſe did interpoſe any delay or excuſe, to proteſt that the Synod of *Bolonia* was not lawfull. The Pope anſwered, that he would firſt underſtand the opinion, and the reaſons of the Fathers of the Councell of *Bolonia*, and impart the propoſition to the Kings and Princes of Chriſtendome, that he might reſolve maturely, for the ſervice of God, and ſatisfaction of all.

The Card. of *Trent* returneth, leaving *Don Diego* in his roome.

The Popes anſwer concerning the returne of the Councell.

The diſcourſe of the Cardinall of *Guiſe* in the Conſiſtory.

The Cardinall of *Guiſe* made a publike diſcourſe in the ſame Conſiſtory, in the name of the French King, and ſpake thus in ſubſtance. That King *Francis* had never ſpared any coſt or danger to maintaine the liberty of other Princes. In conformity whereof, *Henry*, not degenerating from the vertue of his anceſtors, ſo ſoone as he left to mourne for his Fathers death, was willing to declare his obſervance towards the Sea of *Rome*. That the merits of the Kings of *France* towards the Pope, were famous, and exceeded all thoſe of other Nations: but this was above all which the King now doth, promiſing all his forces to preſerve the Papall dignity, now when it is ſo contemned. Hee prayed the Pope to receive the King for his ſonne, and to promiſe to himſelfe all aſſiſtance from him, and to take care that the Church ſhould receive no dammage or ſhame, in regard, that from ſmall beginnings, great factions have riſen, which have brought the Popes into great calamities. He exemplified in many Popes, afflicted, who were defended, and raiſed by the Kings of *France*, concluding that the preſent King will not yeeld to his anceſtors, in preſerving the dignitie of the Apoſtolique Sea.

Many did think that the Pope made *Guiſe* ſpeak ſo, to encourage the Cardinals his dependants, and to daunt the loftie ſpirits of the Imperialiſts, and to make them ſee they could not enforce him. And to execute what he had ſaid to *Don Diego*, he wrote to *Bolonia*, to the Cardinall of *Monte*, the propoſition made unto him, and his owne determination, giving him order, that ſo ſoone as might be, invocating the holy Ghoſt, hee ſhould deliver all to the Fathers, and when he had underſtood their opinion, ſhould write back what the Councell thought. The Legate, the Fathers being aſſembled, declared the Commiſsions, and gave his owne voyce firſt, which all the others followed. For the ſpirit which was wont to move the Legates to think as the Pope did, and the Biſhops to beleeve as the Legates, did work as formerly it had done. The voices being collected, the Cardinall, by the conſent and in the name of all, anſwered that the Synod, when the lawfull Decree was made, to tranſlate it from *Trent* to *Bolonia*, having admoniſhed all to put themſelves

The manner how the ſpirit did worke in the Councell.

themſelves into the journey, and, after that they were arrived in *Bolonia*, underſtanding that ſome remained in *Trent*, having againe lovingly exhorted them to part from thence, and joyne with the body of the Councell, they made none account thereof, continuing ſtill in that Citie, with contempt of the Councell, and ſcandall of many, as if they pretended to be a lawfull Councell, or were not bound to obey this; and therefore that the Fathers did not know how the returne to *Trent* could be treated of, with the honour and reputation of the Synod, if thoſe who remaine there do not firſt go to *Bolonia*, to unite with the reſt, and acknowledge the power of the Councell. When this is done, the returne, in contemplation of *Germany*, may be handled, if that Nation will give ſufficient ſecurity to obey the Decrees, as well to be made, as made already. He added that there was a fame ſpread, that when the Councell returned to *Trent*, the proceeding ſhould be popular, and licentious. Therefore the Fathers thought it neceſſary to have good ſecurity, that the order, continued in the celebration of Councels from the Apoſtles time, untill this age, ſhould bee obſerved; deſiring alſo caution, to ſtand ſecure, and to be able to depart, and tranſlate alſo the Councell, when it ſhall ſeeme fit to the major part, and to end it when they ſhall judge that they have attained the end for which it was called; deſiring his Holineſſe not to compell them to that which would bee againſt the honour of God, and liberty of the Church.

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The anſwer ſent from *Bolonia* concerning the returne of the Councell,

The Pope having received theſe letters, when the Maſſe was ended on Saint *John* the Evangeliſts day, being returned to the Chamber of the robes, with the Cardinals, did communicate the Councels anſwer unto them: which being approved by the major part, he cauſed *Mendoza* to be called, and related unto him the opinion of the Synod, approved alſo by the Cardinals, adding that there was nothing that he was not willing to do for *Germanies* ſake: that the Emperour was a good witneſſe hereof; that hee was ſure that the demand, which he the Ambaſſadour had made, in the name of *Caeſar*, *Ferdinand* and the Empire had a condition annexed, that is, if it may bee with the peace and profit of other Nations, and liberty of the Church; which being aſſembled in a generall Councell, ſeeing it hath judged otherwiſe, and that the Colledge of Cardinals was of the ſame opinion, hee could not chooſe but repute it juridicall, and reaſonable, and approve it, as he alſo did. That, for his fatherly affection, towards the Emperour and the King, hee wiſhed hee could give a more acceptable anſwer; but from a Pope, Head of the Church, nothing could be expected, but what the well governing of the publike did compell him to reſolve: that hee knew the Emperours wiſdome, and his filiall love, and was confident he would receive this for good, which was thought neceſſary by ſo many Fathers, and would command the Spaniſh Prelates in *Trent*, to go preſently to *Bolonia*, and labour to make *Germanie* receive the conditions propoſed by the Councell, and ſend; as ſoone as might bee, the Dutch Prelates, and give the Synod caution that the conditions propoſed ſhould bee obſerved. *Mendoza*, underſtanding the Popes reſolution by his anſwer, would inſtantly have proteſted, that the aſſembly of *Bolonia* was not a lawfull Councell, and that his Holineſſe, if hee brought it not back to *Trent*, would bee cauſe of all the miſchances that ſhould happen

Which the Pope doth communicate to the Cardinals in Conſiſtory; & to the Emperours Ambaſſador,

Who would have proteſted, if he had not been diſſwaded by the Car. of *Trani-*

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to Chriſtendom, and that he failing, the Emperor, as Protector of the Church, would make proviſion. But the Cardinall of *Trani*, Deane of the Colledge, and ſome other Cardinals, interpoſing, he was content to relate the anſwer to *Cæſar*, and expect order from him.

The Pope, conſidering the action of *Mendoza*, thought that this buſineſſe might make ſome difference between him and the Emperor, in which caſe he thought it not fit to have the Prelats of *Germany* ill affected to him. At the receiving of their letter, whereof mention was made before, he was offended with the laſt particle, that they would think of other courſes, holding it to bee a plain threat, and reſolved to give them no anſwer, and continued three months in that opinion: but now, better adviſed, he doubted, that, if they held themſelves to be contemned, they would take ſome raſh reſolution, to which the Emperor would give way, that hee might bee intangled in greater difficulties. Therefore being reſolved to prevent the danger, by honouring them with an anſwer, he made it very modeſt and artificiall, yet not without a convenient ſenſe of his owne honour. The letter began with commendation of their pietie, which appeared in their care to remedie the hereſies, and ſeditions, and that himſelfe was no leſſe ſollicitous, in regard of his paſtorall office, ſo that hee hath not ſuffered, nor doth ſuffer any time to paſſe without thinking of ſome remedy, and had, from the beginning of his Popedome, recourſe unto that which hath beene mentioned by them, that is, unto the Councell. And here relating what happened in the convocation of it, and the impediments why it came not preſently to execution, he added that, it being aſſembled, many Decrees have beene made as well to condemne a great number of hereſies, as to reforme a great part of the Church; that the Councell parted from that Citie without his knowledge; but the Synod having power to do it, hee preſuppoſeth the cauſe was lawfull, untill the contrary doth appeare: and that although ſome few have diſſented, yet it cannot bee ſaid that the Councell is divided. He added that it is not tranſlated into a Citie farre remote, and not ſafe, and that the being of it ſubject to the Church, doth make it ſecure for *Germany*, which hath received Chriſtian Religion, and many other benefits from it. That hee cared not whether the Councell were celebrated there or elſewhere, and would not hinder the Fathers to chuſe another place, ſo they were not forced. But what did hold them from returning to *Trent*, they might ſee by the letters of *Bolonia*, whereof he ſent them a copie. That hee hath deferred to anſwer their letters, becauſe the Cardinall of *Trent* comming unto him in *Cæſars* name, and afterwards *Don Diego di Mendoza*, hee was willing to anſwer the Emperour firſt. That, by the letters of the Fathers of *Bolonia*, they will ſee what is fit to do before the returne bee reſolved on. Therefore hee prayed them to come or ſend Proctors to *Bolonia*, and to aſſiſt in the Councell. His concluſion was, that he was not troubled with that point of their letters, where they intimate that new courſes ſhall bee taken, being conſcious to himſelfe not to have omitted any part of his duty, and to have imbraced *Germany* with all charity. That hee promiſed himſelfe from them and *Cæſar*, that they would do nothing without maturitie; but if courſes ſhall bee attempted againſt the authoritie of the Sea of *Rome*, hee cannot hinder

The Pope writeth to the Prelates of *Germany* in anſwer of their letter.

hinder it, CHRIST having foretold as much, when he founded it, yet he feared not that their attempts would ſucceed, becauſe it was grounded upon a moſt ſure rock. That others had oftentimes endevoured the like, but their plots were ever overthrowne: and that GOD gave example in thoſe, what others, who would tread in the ſame ſteps, might hope for. And if the miſeries paſt, will not move thoſe that are preſent to deſiſt, yet he is ſure they will remaine conſtant in their ancient pietie and faith, and in their Congregations will not give place to councels contrary to the dignity of the Church. 1548 PAUL 3. CHARLES 5 EDVVARD 6 HENRY 2.

The Emperour, being adviſed by his Ambaſſadour of the conditions propoſed by thoſe of *Bolonia*, and the Popes reſolute anſwer, though hee ſaw plainely that his Holineſſe covered himſelfe with the name of the Councell, and Fathers of *Bolonia*, who did notoriouſly depend on him in all matters, and receive all motion from him, to let the world know that he omitted no meanes to ſet the Councell on foot againe, hee ſent *Francis Vargas*, and *Martino Velaſco to Bolonia*. Theſe comming into the aſſembly, the ſixteenth of January, where there were no more Fathers with the Legates, the Cardinals of *Monte* and *Santa Croce*, then in the laſt Seſsion, they preſented the Emperours letters, which were thus addreſſed: *Conventui Patrum Boloniæ*. Which being read, and *Vargas* beginning to ſpeak, *Monte* interrupted him, and ſaid, That though the holy Synod was not bound to heare him, in regard the letters were not addreſſed to it, becauſe it was not a Convent, but a Councell, yet they refuſed not to give him audience, with *Proteſtation* that it ſhould not prejudice them, or give advantage to others, and that it ſhould remaine free to the Fathers, to continue the Councell, and to go on, and proceed againſt the obſtinate and rebellious, by inflicting the puniſhments of the Lawes. *Vargas* required, that an inſtrument ſhould bee made of the Proteſtation, before the Propoſition was underſtood; then hee prayed the Fathers, in the name of all Chriſtendome, to proceed with equity, becauſe, perſiſting in their opinion, not wiſely and maturely imbraced, it muſt needs end with ſome great publike calamity; but yeelding to the Emperour, all would ſucceed well. He went about to ſhew how dangerous an errour it would bee, not to change their determination, and how well *Cæſar* was affected to the ſervice of God, and the Church. In theſe words he was againe interrupted by *Monte*, who ſaid, I am here Preſident of this moſt holy Councell, and Legate of *Paul* the third, ſucceſſor of *Peter*, and Vicar of CHRIST on earth, together with theſe moſt holy Fathers, to proſecute, for the glory of GOD, the Councell, lawfully transferred from *Trent*, and we pray *Cæſar* to change opinion, and to aſsiſt us herein, and to curb the perturbers of the Councell, in regard his Majeſtie knoweth that he who hindereth holy Councels, be he of what degree ſoever, incurreth moſt grievous puniſhments of the Lawes; and we are reſolved, that, whatſoever happeneth, we will not care for any threats, nor will bee wanting to the honour and liberty of the Church, of the Councell, and our owne.

The Emperor perceiveth the Popes cunning, and ſendeth Ambaſſadours to *Bolonia*, *Vargas*, and *Velaſco*.

Vargas is twice interrupted in his ſpeech.

Then *Velaſco* read the Proteſtation, which hee had written in his hand; the ſumme whereof was, That Religion being ſhaken, manners corrupted, and

The Emperors proteſtation againſt the Councell in *Bolonia*.

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and *Germany* ſeparated from the Church, the Emperour had demanded a Councell of *Leo*, *Adrian*, *Clement*, and at laſt of *Paul* the third, and ſhewing the impediments and difficulties in calling it, he touched the things handled in it, and added, that while his Majeſtie made warre, principally for Religion, and put *Germany* in quiet with his vertue, having great hope to make them go to the Councell, who untill then had refuſed, they, moſt reverend Legats, againſt the expectation of all, without the Popes knowledge, making a light fained cauſe to ariſe, propoſed to the Fathers the Tranſlation of the Councell, without giving them time to think on it; whereunto ſome godly Biſhops oppoſing, proteſting they would remaine in *Trent*, they, with the conſent of a few Italians, decreed the ſaid Tranſlation, and parted the next day, and went to *Bolonia*. That the Emperour being victorious, ſolicited the Pope many wayes, praying him to make them to returne to *Trent*, ſhewing the ſcandals and imminent dangers, if the Synod did not end in that Citie, and, in the meane ſpace, endeavoured, in the Diet of *Ausburg*, to make all the Dutchmen ſubmit themſelves unto it. Finally, that he ſent the Cardinall of *Trent* to his Holineſſe, to ſignifie this unto him, and to pray him to make the Councell returne to *Trent*. That he cauſed alſo *Mendoza* to go to *Rome* to negotiate the ſame thing: and that the Pope hath taken time to treat with them in their aſſembly; who have given a vaine anſwer, captious, full of deceipt, worthy to bee condemned by the Pope, who notwithſtanding hath approved it, calling the unlawfull Congregation of *Bolonia* by the name of a generall Councell, giving them ſo great authority, that hee knoweth not how to arrogate ſo much to himſelfe. That it was certaine, that the Councell could not bee tranſlated, but by urgent neceſsity, diligent diſcuſsion, and conſent of all; that, for all this, they, who call themſelves Legates, and others, did raſhly runne out of *Trent*, faining certaine Feavers, and infections of the ayre, and teſtimonies of Doctors, which the event hath ſhewed to be cauſes not ſo much as of any vaine feare. That in caſe of any ſuch neceſsity, it was fit to treat firſt with the Pope, and the Emperour, who is Gardian of Councels. But their haſte was ſo great, that they did not ſo much as conſult with themſelves. That it was meet to heare and examine the contradictions and opinions of thoſe Fathers who did ſpeak for conſcience ſake; who, though not ſo many in number, ought to bee preferred, as more wiſe. That, in caſe it were fit to depart, they ought not to quit the Countrey, but, according to the Decrees of the holy Councels to chooſe another place in *Germany*. That the choiſe of *Bolonia*, ſubject to the Church, could no way bee defended, becauſe it was certaine that the Germans would not go thither; and that every one might refuſe it, for many reaſons: which was to diſſolve the Councell, without warning. Therefore the Emperour, to whom it belongeth to defend the Church, and protect generall Councels, to compoſe the diſſentions of *Germany*, and alſo to reduce *Spaine*, and his other Kingdomes and States, to a true Chriſtian life, ſeeing that the unreaſonable departure from *Trent* doth diſturb his whole purpoſe, hee deſireth them, who call themſelves Legates, with the other Biſhops, to returne to *Trent*, from whence they parted.

That

That they cannot refuſe this, becauſe they promiſed to do it when the ſuſpicions of the peſtilence did ceaſe: which if they will do, it will bee moſt acceptable to all Chriſtendome. But if not, they, the Emperours Proctors, by ſpeciall mandate, do proteſt that the Tranſlation or receſſe is unlawfull and void, together with all the things that do, or will follow; and that the authority of them, pretended Legats, and of the Biſhops there preſent, is not ſufficient to give a law to all Chriſtendome, in matter of Religion, and reformation of manners, eſpecially to thoſe Provinces whoſe manners and lawes are not knowne unto them. Likewiſe they proteſt that the anſwer of his Holineſſe is not good, but unlawfull, full of deceipt, illuſorie, and that all the dammages, tumults, ruines, waſtings of Countries which have happened, do, or may happen, ought not to bee imputed to *Cæſar*, but to that Congregation which calleth themſelves a Councell, it being able moſt eaſily and canonically to give remedie thereto. Proteſting alſo that the Emperour, in the defect, fault, or negligence of them, and the Pope, will make proviſion with all his forces, not leaving the protection and care of the Church, which belongeth unto him as Emperour, and King, according to the lawes, conſent of the holy Fathers, and of the whole world. In fine, they demanded a publique inſtrument of whatſoever was handled by them, and to have the Emperours mandate, and their proteſtation inſerted in the acts of the pretended Congregation. 1548 PAUL 3. CHARLES 5 EDVVARD 6 HENRY 2.

Valaſco, after the proteſtation, preſented the ſame writing which hee had in his hand, and required againe that the inſtance ſhould be regiſtred. The Cardinall of *Monte* with conſent of the Synod, did moſt gravely proteſt, that they would rather die, then ſuffer ſuch an example to be brought into the Church, that the Secular power ſhould call a Councell. That *Cæſar* is ſonne of the Church, not Lord, or Maſter. That himſelfe, and his Colleague, are Legats of the holy Apoſtolique Sea, and refuſe not to render an account to God and the Pope, of their Legation, and that they would anſwer, wwithin ſe dayes, the Proteſtation read unto them. Card. *Monte* anſwereth with great reſolution.

Mendoza in *Rome*, having received the Emperours anſwer, that hee ſhould go on, and proteſt to the Pope, in preſence of the Cardinals, and Ambaſſadours of Princes, and underſtanding what was done in *Bolonia*, by *Vargas*, and *Velaſco*, appeared in Conſiſtory, and kneeling before the Pope, read the Proteſtation, which he held written in his hand. He began with the Emperours vigilancie and diligence, to reunite Chriſtendome, divided into divers opinions of Religion. He ſhewed what requeſts he had made to *Adrian*, *Clement*, and *Paul* himſelfe, to perſwade them to call the Councell; unto which the rebels of *Germany* refuſing to ſubmit, hee had compelled them to obedience, by force of armes; wherein, though the Pope (to ſhew he would not bee wanting to the publique cauſe) did contribute ſome ſmall aſſiſtance of men, yet it may be ſaid, that the warre is finiſhed onely by the Emperours forces: In which, while hee was buſied, behold the good work begun in *Trent*, was interrupted by a pernicious attempt of transferring the Councell, upon pretences, neither true nor probable, to this purpoſe onely, that publike quiet might be hindered, notwithſtanding the more godly and ſound part of the Fathers did oppoſe, and remaine in the place. That the name of the The Emperors Ambaſſadour in *Rome* proteſteth alſo.

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Councell ſhould be given to theſe, not to thoſe, who are retired to *Bolonia*, honoured by his Holineſſe, with the name of his adherents, whoſe will he preferreth before the prayers of the Emperour, and *Ferdinand*, and Princes of the Empire, not regarding the good of *Germany*, nor the converſion of thoſe that erre; to reduce whom, ſeeing they are content to ſubmit to the Councel of *Trent*, there remaineth nothing but to reduce it to that Citie. For which being requeſted, in the foreſaid names, by him the Ambaſſadour, he hath given an anſwer full of cunning, but void of reaſon. Wherefore ſeeing that the Evangelicall requiſitions, made by him, the Emperours Ambaſſadour, to his Holineſſe, the 14. and 27. of December, and, the 16. of January, by other Proctors of his Majeſtie in *Bolonia*, having been neglected in both places, he did then proteſt, that the departure from *Trent*, and Tranſlation of the Councell to *Bolonia*, were void and unlawfull, will bring contention into the Church, and put the Catholike faith and Religion in danger, and do for the preſent give ſcandall to the Church, and deforme the ſtate thereof. That all the ruines, ſcandals, and diſſentions, which will ariſe, ought to be imputed to his Holineſſe, who, though hee is bound to provide againſt them, even with the loſſe of his blood, yet doth favour and cheriſh the authours of them. That the Emperour, in defect and fault of his Holineſſe, will imploy all his forces, to make proviſion herein, according to the form ſet down by the holy Fathers, and obſerved by conſent of the whole world. Then turning to the Cardinals, he ſaid; that, the Pope refuſing to take care for the peace of Religion, uniting of *Germany*, and reformation of manners, if they alſo will be negligent, he made the ſame proteſtation unto them; and leaving the writing which he had in his hand, he departed.

The Pope uſeth arte to make himſelfe Neutrall and Judge in the cauſe.

The Pope conſidering the Proteſtation of *Mendoza*, and adviſing of the buſineſſe with the Cardinals, ſaw he was in a ſtrait, and that to bee taken for a party, and to have the contention turned againſt him, was much againſt his reputation: neither was there any remedy, but by finding a way to make himſelfe Neutrall, and judge betweene them who approve, and who oppugne the Tranſlation. To do this, it was neceſſary to decline the Proteſtation, that it might ſeeme not to bee made againſt him, but, before him, againſt thoſe of *Bolonia*, in which not being able to diſſemble ſufficiently, hee reſolved to lay to the Ambaſſadours charge, the tranſgreſsing of his Maſters *Mandat*; thinking that the Emperour, ſeeing his dexterity in blaming his Miniſter, that hee might not break with his Majeſtie, would imitate him, and proceed as if hee had proteſted againſt thoſe of *Bolonia*, acknowledging the Pope for Judge. Therefore, on Wedneſday, the firſt of February, calling *Mendoza* into the Conſiſtory, he made a very long anſwer, and ſaid in ſubſtance, That to proteſt, was a thing of bad example, uſed by thoſe who have ſhaken off obedience, or are not conſtant in it: That himſelfe and the Colledge of Cardinals, are ſorry for that unexpected action, in regard of the fatherly love hee hath alwayes borne the Emperour, and becauſe it was done when it was leaſt looked for, having made warre, and gained the victory againſt his owne and the Churches enemies, and beene aſſiſted by the Popes men, maintained with his immenſe charge: which ſuccours were great, and came in fit time, and deſerved not ſuch a reward

The anſwer of his Holineſſe to the Proteſtation.

after

after victory; that is, that the end of the warre, ſhould be the beginning of proteſting againſt him. But he did mitigate his griefe, becauſe the Ambaſſadour had exceeded the bounds of the Emperours Commiſsion, in which hee hath commanded his Proctors at *Bolonia*, to proteſt to the Legates and to him, to proteſt againſt the Councell of *Bolonia*, in preſence of the Pope and Cardinals, but not againſt the Pope. That the Emperour had done the office of a modeſt Prince, knowing the Pope to be the onely lawfull Judge in the cauſe of Tranſlation, which if he ſhould refuſe to determine, then the Proteſtation againſt him ſhould take place: and therefore that it was more fit, that if the Fathers, remaining in *Trent*, had cauſe of complaint againſt thoſe of *Bolonia*, they ſhould make the proceſſe before him. But the Ambaſſadour had perverted the order, leaving the petition which ought to be made, and requiring an undue prejudice againſt the Councell, ſo that, the act of the Proteſtation falling of it ſelfe, there was no need of an anſwer. Yet to cleare all mens minds, hee would make one. And firſt, for that he taxeth him as negligent, and commendeth the Emperour as induſtrious, he ſaid, he would not detract from the good meaning and actions of his Majeſtie, but yet, that he did precede him, as in age, ſo in diligence. Hee ſaid, he had ever deſired the Councell, and ſhewed it by effects. And here he diſcourſed of all his actions, done to this end, and how others did croſſe him, and ſometimes the Emperour himſelfe, with divers wars. Hee added, that to judge whether the cauſes of the Tranſlation bee lawfull or no, was reſerved to himſelfe. That to praiſe thoſe of *Trent*, was to praiſe thoſe who were ſeparated from the Church. That he refuſed not, nor ever did, that they ſhould returne to *Trent*, ſo that it might bee done lawfully, and without offence of other Nations. That to think onely *Trent* fit to celebrate the Councell, was to wrong the holy Ghoſt, which is worſhipped, and preſent in all places. Neither ought regard to be had, that *Germany* hath need of a medicine, for by that reaſon, there ſhould bee a generall Councell held in *England*, and elſewhere. That a commodious place is not ſought for thoſe, for whom the lawes are made, but for thoſe who make them, which are the Biſhops. That oftentimes Councels have beene made, out of the Provinces where the hereſies have raigned. That hee knoweth why hee was diſpleaſed with the anſwer given him; that is, that the Decrees made, and to bee made, are received, and that the manner, uſed ever ſince the Apoſtles time, is obſerved. That he will avoid all negligence in providing for the Church, and if *Cæſar* will be diligent, let him keep himſelfe within the limits, preſcribed to him by the lawes and Fathers. The functions of them both being diſtinct, will be profitable to the Church. And concerning the Tranſlation, whether it were lawfull or no, he called the cauſe to him, and deputed foure Cardinals, *Paris*, *Burgos*, *Poole*, and *Creſcentius* to heare it, commanding every one, that, untill it was ended, they ſhould attempt no novitie, giving the terme of a moneth to the Fathers of *Bolonia* and *Trent* to produce their reaſons. And he cauſed this Decree to bee written by the Secretary of the Conſiſtory, in the accuſtomed judiciall forme of the Court, inhibiting the Prelats of *Bolonia* and *Trent* to innovate any thing, while the cauſe depended.

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The Imperialiſt did laugh extremely at the Popes diſtinction, of proteſting

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ſting againſt the Pope, and before him. But *Diego* made a new Proteſtation, ſaying he had a ſpeciall mandate from the Emperour, to proteſt as he had done. The Popes inhibition being received in *Bolonia*, and no more aſſemblies of Biſhops, or Congregations of Divines being made, all departed by little and little except the Popes ſtipendaries, who could not do it with their honour. Thoſe of *Trent* moved not, according to the Emperours will, that they might keepe there ſome ſigne of the Councell, and hold the Catholikes of *Germany* in hope, and the Proteſtants in their duty, and that their promiſe, to obey the Councell of *Trent*, might not be void, there being none at all.

Don Diego maketh a new proteſtation.

The Pope cauſed his anſwer given to *Mendoza*, to come to the knowledge of the Fathers of *Trent*, and expected fifteene dayes that ſome overture would be made by him or them, that he ſhould be Judge, as hee had deſigned. But ſeeing nothing ſucceeded, he wrote a Briefe to the Cardinall *Pacceco*, and to the Archbiſhops and Biſhops of *Trent*, in manner of a cytation: in which having delivered the cauſes, which moved him to intimate the Councell, and the impediments and delayes, which happened in calling it, and the joy he had to ſee it begun, which was increaſed by the happie proceeding, hoping that in a ſhort time proviſion would be made againſt the evils of the Church, he added, that he received as much ſorrow from the contrary encounters; ſo that underſtanding the departure of his Legates, and major part of the Biſhops from *Trent*, ſome remaining ſtill there, he was grieved, for that it might hinder the progreſſe of the Councell, and give ſcandall to the Church. This being as well known to them as to him, he marvelled why, if the Tranſlation of the Councel ſeemed juſt unto them, they went not in company with the others; if unjuſt, why they made not their complaint to him. That it was a cleare caſe, whereof they could not be ignorant, that they were bound to do the one or the other; either of which, if it had beene embraced, would have taken away all occaſion of ſcandall. That he could not chooſe but write to them, with griefe, that they were defectuous in the one or the other, and that he was ſooner adviſed by the Emperour of their complaints, then by any of them, ſo much as by letter, or meſſenger: and that, for this negligence, he had more cauſe to complain of the Cardinall, who was more obliged, by reaſon of his Cardinalitie. But becauſe that which they ſhould have done, was prevented by *Caſar*, who hath complained by his Ambaſſadour, that the Tranſlation is void and unlawfull, hee doth readily offer unto them, that which ſhould not have beene denied, if they had made the caſe knowne, that is, to heare their complaints, and take knowledge of the cauſe; and though hee ought to preſuppoſe that the Tranſlation is lawfull, yet to do the part of a juſt Judge, hee willingly offereth to heare them and their reaſons, which they ſhall bring to the contrary: that herein hee would hold and eſteeme of the Spaniſh Nation, and of their perſons, not ſuffering the great preſumptions to prevaile, which ought to bee had againſt them. Therefore having, by advice of the Cardinals, called the cauſe of the Tranſlation of the Councell unto him, and given commiſſion to ſome of them to relate it in Conſiſtory, all that pretend intereſt being cyted, and the Prelats of *Bolonia* and *Trent* inhibited to attempt any thing, while the cauſe dependeth, as was contained in the writing, whereof he ſent them

The Pope writeth to the Fathers in *Trent* by way of cytation.

them a copie, deſiring to conclude the cauſe as ſoone as may be, he commandeth them, that pretending the Tranſlation to be of no force, they ſend three at the leaſt, well inſtructed, to aſsiſt in judgement, and to alledge their pretenſions, and to tender their preſence, as ſoone as may be; concluding, that the preſentation of the Briefe to the Cardinall, or to two or three of them, affixed at the Church doore of *Trent*, ſhall binde them all, as if it had beene perſonally intimated to every one. The Pope ſent alſo to thoſe of *Bolonia* to intimate the ſame Decree, who ſent immediatly to *Rome*.

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But the Cardinall *Pacceco*, and the other Spaniards in *Trent*, who were in number thirteene, having firſt ſent to know the Emperours minde, anſwered the Popes letter the three and twentieth of March, thus in ſubſtance. That they truſted in his benignitie and wiſdome, which will eaſily know that, in contracting the Tranſlation, in being ſilent, in remaining in that Citie, they thought of nothing leſſe, then of offending his Holineſſe; yea, that the principall cauſe why they diſſented, was, becauſe a matter of ſo great weight was handled without his knowledge: wherein alſo they deſired, that ſo ſmall account ſhould not be made of the Emperor. That it ſeemed cleere to them, that the Tranſlation would not be well expounded, nor eaſily approved by his Holineſſe, whom they prayed not to beleeve that the Emperour had prevented their complaint, exacted by his Beatitude, becauſe they had complained firſt to him, but that he did it of his owne motion, who thought the protection of the Church belonged to him: that they ſhould never have thought that his Holineſſe would have deſired to have beene aſsiſted by them, to whom they beleeved an abſolute account was given by his Legates, in regard what they ſpake was in publique, and written by Notaries; that it ſeemed enough for them to deliver their opinion, and then to bee ſilent. Therefore they did not beleeve their preſence was neceſſary in ought elſe. That if there bee any defect, yet their plaine meaning is cleare. That they thought it enough to diſſent from the Tranſlation, and for modeſty and humilitie, not to trouble his Holineſſe, whom they ſuppoſed would not bee wanting, to performe what hee thought fit, for the good of the Church. That they ſaw not why they ſhould depart with the Legates, who promiſed, in the generall Congregation, and in the publike Seſsion, to returne to *Trent*, ſo ſoone as the ſuſpition of the ſickneſſe did ceaſe, eſpecially if *Germany* would ſubmit to the Councell. That they remained there, beleeving they would returne, eſpecially when they underſtood, that, by the grace of God, and vertue of the Emperour, *Germany* did ſubmit it ſelfe. And that ſome have received ſcandall by their abiding in *Trent*, as his Holineſſe ſaith, it is ſufficient for them that they have not given it: and on the other ſide, the departure of others hath troubled many. That the ſucceſſour of Saint *Peter* hath ever beene very venerable to their Nation; wherein themſelves have not beene defectuous. They pray his Holineſſe, that they may not bee blamed for what they have done to a good end: and do humbly beſeech him not to conſent they ſhould bee put into a ſuit, in regard the cauſe is not theirs, but Gods; ſaying, that if it were theirs, they would be content to indure any wrong; but being Gods, and CHRISTS, as it is, it belongeth more to none then to his *Vicar*.

Who anſwer thus.

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Vicar. In fine, they prayed his Holineſſe to ſet the interrupted Councell on its feet againe, and cauſe the Legates and Fathers to returne to the ſame place, and to do this by a Briefe, without treating of Tranſlation. They prayed him to take their words in good part, not ſpoken to ſignifie what the duty of his Holineſſe was, but what they hoped from him.

The reply of the Proctors of the Fathers of *Bolonia* to the Spaniards anſwer.

The Spaniards anſwer being received by the Pope, it was ſent to the Cardinals, to whom the cauſe was committed; by whom it was communicated to the Proctors of thoſe of *Bolonia*, that they might proceed. Theſe anſwered, that they were glad that the Spaniards do acknowledge the judgement and the Judge, and that they will not be a partie. Yet it was neceſſary to retort ſome things delivered in their anſwer, to make the Truth appeare. In that they ſay his Holineſſe ſhould firſt have beene adviſed with, it was ſuperfluous, in regard a ſpeciall Bull was then read. That the Emperour had been neglected, it cannot bee ſaid, becauſe ſo great eſteeme hath beene held of his Majeſtie, as of the Pope, the cauſe it ſelfe not comporting any delay, ſeeing it was neceſſary to diſſolve, or tranſlate the Councell, in regard of the progreſſe which the peſtilent ſickneſſe made in the Citie and borders, of the actuall and eminent departure of many Fathers, of the Doctors oath, eſpecially of *Fracaſtorius*, who had a publike ſtipend, and of the feare that the commerce of the neighbour Cities would be taken away. All which appeareth in the Acts tranſported to *Rome*, by his Holineſſe commandement. That the Legats, after the Decree, exhorted them to go to *Bolonia*, and being arrived there, did admoniſh them by letters, ſo that they cannot ſay, they ought not to follow the Legats, becauſe they conſented not to the Tranſlation; for the ſuffrages of all in the Councell being free, they might diſſent with a ſafe conſcience: but the major part having made a Decree, it was meet the leſſer part ſhould yeeld, or elſe, never any thing would be determined. That the returne hath beene promiſed is true; but it may bee ſeene in the Decree, in what forme the promiſe was made. If they tarried, beleeving that the others would returne, why did they not anſwer the Legats letters, who admoniſhed them to go to *Bolonia*? But when they ſay the ſuſpicion of the Peſtilence was pretended, it is probable they ſpake it by chance; otherwiſe having nothing to ſay againſt the Tranſlation, and not ſending, according to the Popes Decree, they ſhould incurre the *Cenſures*. Neither is that diviſion ought worth, if the cauſe be theirs, or of God. For as it belongeth to them, no man will do them wrong; as unto CHRIST, ſeeing the queſtion is of the fact, it is neceſſary to cleere that which is not manifeſt in the fact. Whereupon the Emperour, having called the Legates, pretended, and the Fathers of *Bolonia* not a Councell, but a private aſſembly, and uttered many opprobrious termes againſt the Tranſlation, it was reaſonable the Pope ſhould aſſume the cauſe, not to cheriſh, but to appeaſe contentions. Whether ſcandals have riſen by the Tranſlation, or by their remaining in *Trent*, may bee ſeene by this onely, that their remaining is the cauſe why the returne cannot be. And when they pray his Holineſſe to cauſe the interrupted Councell to returne, if they underſtand it of the uſuall Congregations, they have never beene intermitted; if of the publication of the Decrees, thishath beene referred for their ſake: and ſo many things are alrea-

already diſcuſſed in *Bolonia*, as well of faith as reformation, that a long Seſsion may be made thereof. Therefore they pray his Holineſſe, to give ſentence, conſidering that no Councell, but in time of ſchiſme, hath lasted ſo long as this, ſo that the Biſhops are deſired by their Churches, unto which it is fit they ſhould be reſtored. This writing was preſented in the end of Aprill. 1548 PAUL 3. CHARLES 5 EDVVARD 6 HENRY 2.

After which there was no further proceeding in the cauſe, for that the deputed Cardinals knew not how to conclude. To pronounce the Tranſlation lawfull, in the abſence of the contradictors, was to make a ſchiſme, having no meanes to enforce them to receive the ſentence; and they ſaw leſſe meanes to force them to aſsiſt in the cauſe. The Pope was much troubled, ſeeing no way to compoſe the difficulty, without forme of judgement. The Cardinals deputed in this cauſe, knew not how to proceed.

While theſe things were in queſtion, after the death of the Duke his ſonne, the Pope did continually demand the reſtitution of *Piacenza*, and of other places, uſurped in the *Diſtrict of Parma*, making uſe of the intereſts of the Emperours daughter, wife to Duke *Octavius*, ſonne of him that was dead. But the Emperour, purpoſing to joyne that Citie to the Dukedome of *Milan*, and to recompence his ſonne in Law in ſome thing elſe, delayed the time with divers anſwers and offers, hoping that the Pope, being eighty yeares of age, and grieved for his ſonnes death, and having many other diſtaſts, would end all the controverſies by his death. But the Pope ſeeing he was deluded with delaies, moleſted with requeſts for the returne of the Councell of *Trent*, and offended by the remaining of the Spaniards in the Citie, to make a diverſion at the leaſt, hee let the Emperour know, that the uſurpers of *Piacenza*, a Towne belonging to the Church, had incurred the Cenſures; to the declaration of which hee would proceed: fulminating alſo more of them, if within a certaine time perfixed, it were not reſtored to him. The Emperour wrote back a ſharp letter, adviſing the Pope not to cheriſh the fugatiues of *Naples*; ſhewing that all the practices were knowne unto him, and that hee did underſtand the calumnies raiſed againſt him, that he procured a ſchiſme, when hee demanded a Councell in *Trent*, to unite Chriſtendome; and for *Piacenza*, that it was a member of the Dutchie of *Milan*, many yeares unjuſtly uſurped by the Popes: and if they have title to it, let it bee ſhewed, and hee will not faile to do juſtice. The Pope, ſeeing his ſpirituall weapons would do no good without the temporall, changed his opinion, and fought to make a ſtrong League againſt the Emperour: wherein hee found many difficulties, not being able to perſwade the Venetians to enter into it, and the Frenchmen requiring the conſent of the Conſiſtory, in regard of the Popes decrepit age, and a pawne of money; which the Pope was not willing to lay downe, in regard of the great charge he was at, fearing it would be greater; for which cauſe, hee had laid as great burthens on his ſubjects as they were able to beare, and ſold and pawned as much as hee could, and given order for granting of all ſorts of diſpenſations, and favours, to whomſoever would give money, to ſupply the wants of the Apoſtolique Sea. For the Councell, hee was moſt reſolute not to let it bee out of his owne Territories, and beſides other urgent reaſons, that of his owne and the Popedomes reputation was added, that the Emperour ſhould not compell

Differences betweene the Pope and Emperor about the reſtitution of *Piacenza*.

His Holineſſe endevoureth to make a ſtrong league againſt the Emperor, but finding difficulties in it, knoweth not what to do.

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compell him. But he knew not how to induce him and *Germany*, to give conſent. To let it vaniſh, ſometimes ſeemed good unto him, and ſometimes not, and he often diſcourſed thereof with the Cardinals, both in Conſiſtory, and privately. But finally, hee reſolved to put to hazzard the determination, for which he knew he was inſufficient, not onely for the reaſons before alledged, but for other weighty reſpects, which paſſed in *Germany*. For *Ceſar*, at the returne of the Cardinall of *Trent* to *Ausburg*, underſtanding the Popes minde, and the anſwer he gave to *Mendoza*, at the end of December, (which cauſed him to give over for the Proteſtation, as hath been ſaid) and thinking that the Pope, by requiring the reſtitution of *Piacenza*, ſought to divert all ſpeech of the Councell, was aſſured, that ſo long as he lived, either the returne would not be, or the reſolution would bee protracted, and therefore thought fit, before he diſarmed, to ſet *Germany* at peace, in matters of Religion. Hereof a propoſition was made in the Diet, and order taken, that choice ſhould bee made of perſons, fit for this good work. Thoſe were choſen who were eſteemed the beſt; who not agreeing, all was referred to *Ceſar*. He elected three, *Julius Flugius*, *Michael Sidonius*, and *Johannes Iſtebius*. Theſe, after long conſultation, compoſed a forme of Religion, which was often examined, reviewed, and changed, firſt by themſelves, and then by divers perſons, unto whom the Emperour cauſed it to be ſhewed and ſome of the principall Miniſters of the Proteſtants were alſo called, that they might approve it. But it had ſo many alterations, additions, and diminutions, that it appeared to bee the work of many men, who had contrary ends. Finally, it was reduced into that forme in which it now is; and the Legate ſent a copie thereof unto *Rome*, by the Emperours conſent, who was willing to underſtand the Popes opinion, and by the counſell of the major part of the Prelates, who ſeeing the controverſies betweene the Pope and the Emperour, feared that the Emperour would obey him no longer; a thing much abhorred by them, for the inbred, and inveterate opinion of the Dutchmen, to maintaine the dignity of the Pope, which is the onely counterpoiſe of the Emperours authority, whom without his aſſiſtance, they were not able to reſiſt; if, according to the uſe of ancient Chriſtian Princes, they would keep them within their bounds, and remove the abuſes of the renowned liberty of the Clergie.

The Emperor reſolveth to ſettle a peace of Religion in the Diet,

Therefore a forme is compoſed, called the *Interim*,

The Book contained twenty five heads. Of the ſtate of man in innocencie. Of the ſtate of man after ſinne. Of the redemption by CHRIST. Of Juſtification. Of the fruits thereof. Of the manner how it is received. Of charitie and good works. Of beliefe of the remiſsion of ſinnes. Of the Church. Of the ſignes of the true Church. Of the authoritie thereof. Of the Miniſters of the Church. Of the Pope and Biſhops. Of the Sacraments. Of Baptiſme. Of Confirmation. Of Penance. Of the Euchariſt. Of extreame Unction. Of Order. Of Marriage. Of the Sacrifice of the Maſſe. of the memory, interceſsion, and invocation of Saints. Of the Communion. Of the Ceremonies, and uſe of the Sacraments. To recite here the ſubſtance of them would bee too long, tedious, and unprofitable, becauſe the conſequences which began from that book, laſted not long. It had the name of the *Interim*, preſcribing what

Which conteineth 25. heads,

Doth not continue long.

to

to beleeve, untill all was eſtabliſhed by a generall Councell. 1548

When the copie came to *Rome*, every one was amazed; firſt in generall, that a temporall Prince, in a ſecular aſſembly, ſhould meddle with Religion, and not in one Article onely, but in all. The learned called to minde the Ἑνωτικὸν of *Zeno*, the Ἔκθεσις of *Heraclius*, and the τύπος of *Conſtance*, and what diviſions theſe Imperiall conſtitutions in matter of Religion made in Chriſtendome; and ſaid, that, untill then, there were three names, unluckie to the Church, bringing into it many diviſions, under pretence of unitie: to which might be added this fourth, the *Interim* of *Charles* the fifth. They doubted that this beginning of the Emperour would end, where *Henry* the eight, King of *England* did arrive, to declare himſelfe Head of the Church: which would have ſo much more compaſſe, as *Spaine*, *Italy*, *Germany*, and other adjacent Countreys were greater then one Iſland, which, in appearance, did make ſhew to containe one Catholike doctrine, but was very farre from it. Deſcending to particulars, they reprehended that, in the points of originall ſinne, juſtification, the Sacraments, Baptiſme, and confirmation, the doctrine determined by the Councell was not ſet downe: and that collection being made to be obſerved untill the Councell, in regard the Councell, concerning thoſe points, was made already, what elſe could be ſaid, but that it was preciſely to be obſerved? But to have publiſhed another doctrine, was to annihilate the Councell, and that the Emperours cunning was more to be ſuſpected then ever, ſeeing that hee made ſo earneſt a requeſt, that the Councell ſhould returne to *Trent*, and did at the ſame time, take away all authority from whatſoever was conſtituted by it. They condemned the whole body of that doctrine, for that it contained ambiguous ſpeeches, which ſuperficially conſidered, did receive a good ſenſe, but, inwardly, were full of poyſon, that in ſome parts, it did purpoſely ſtand onely upon the generall, that the Lutherans might expound it for themſelves: but in the Article of concupiſcence, it ſpake juſt as the Lutherans did; as alſo of juſtification, placing it in the beliefe of the promiſes, and attributing too much, yea, all, to faith. In the Article of good works, nothing was ſaid of the merit of condignitie, which is the principall point in that matter. In the Article of the Church that it hath not derived unity from the viſible Head, which is eſſentiall; and, which is worſe, hath made a Church inviſible by charity, and then made the ſame viſible. That it is a ſecret Artifice to deſtroy the Hierarchie, and eſtabliſh the Lutheran opinion. That to have made notes of the Church, ſoundneſſe of doctrine, and the lawfull uſe of the Sacraments, hath given a way to all ſects to hold, obſtinately, themſelves to bee the Church; concealing the true mark, which is the obedience to the Pope of *Rome*. That the ſaying, that the Pope was appointed for remedy of Schiſme, and Biſhops by the Law of God, was not to be endured. That the Sacrament of Penance was made moſt Lutheran-like, in that it was ſaid, that beleeving to receive with this Sacrament that which CHRIST hath promiſed, it happeneth to every one as hee beleeveth. That the principall point of Sacrifice is concealed, that it is expiatorie, and propitiatory for the living and the dead. That having granted wives to Prieſts, and the Cup in the Communion of the Laitie, every one might ſee, that with thoſe two abuſes the whole Catholike

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And is cenſured in *Rome*.

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faith was overthrowne. All the Court ſaid with one voice, that the principall point was in queſtion; that the foundations of the Church were ſhaken; that it was neceſſary to imploy all their forces, to excite all Princes, to ſend to the Biſhops of all nations, and, by all meanes, to reſiſt this beginning, from whence would undoubtedly follow, not the ruine of the Church of *Rome* (for that was impoſsible) but a greater deformation, and diſhonour, then ever.

Where the Pope differeth in opinion from all others.

But the Old Pope, being moſt ſenſible, who, with the accuteneſſe of his judgement, ſaw more then them all, did immediatly penetrate to the bottome, and judged that the enterpriſe would be good for him, and pernicious for the Emperour. He marvelled much at the wiſdome and counſell of ſo great a Prince, that, by one victory, he ſhould think he was made judge of all mankinde, and preſuppoſe hee was able to conteſt with both parties. That a Prince, adhering to one might oppreſſe another, but to contend with both, was too much boldneſſe of vanity. He foreſaw that the doctrine would generally more diſpleaſe the Catholikes, then the Court, and the Proteſtants moſt of all, and that it would be impugned by all, and defended by none: wherein there was no need of his paines, becauſe his enemies would work for him, more then himſelfe could do; and that it was better to permit the publication of it, then to hinder it; and rather being in this ſtate in which it is, then when it is reformed, that it may more eaſily fall. Onely there was need of three things; That the Emperour ſhould not know this: That hee ſhould bee put upon the buſineſſe as ſoone as might be: And that the firſt blow ſhould be againſt the Proteſtants. To effect the firſt, it was fit to make a light oppoſition in ſome things: for the ſecond, to ſet on foot the intereſts of the German Prelates: and for the third to make it cunningly appeare, that this doctrine was collected, not to unite both parties, but onely to curb the Proteſtants; by which meanes a great point was gained, that is, that a ſecular Prince did not make Articles of faith for the faithfull, but for thoſe that erred.

His inſtructions to his Legate in *Germany*.

Therefore hee ſent inſtructions to Cardinall *Sfondrato*, to make ſome oppoſition, and, when the doctrine ſhould bee publiſhed (that hee might not bee preſent) to take leave and bee gone. The Cardinall, according to his Commiſsion, declared, in the Popes name, that the permiſsion to continue the receiving of the Cup in the holy Communion, though hee that receiveth it is not to bee reprehended, (the cuſtome of receiving the Sacrament under both kindes being abrogated long ſince) was a thing reſerved to the Pope; as alſo the granting of marriage to Prieſts; and the rather, becauſe it hath never beene uſed in the Church: and the Greeks and Eaſterne people, who do not binde them to a ſingle life, do grant that married men may receive Orders, and keeping their wives, may exerciſe the miniſtery, but do not, nor ever did, permit them to marry who were in Orders before. He added, that, without doubt, if his Majeſtie would grant theſe things to bee lawfull, he ſhould grievouſly offend the Majeſty of God: but holding them unlawfull, he might permit them to the hereticks, as a leſſer evill. It is tolerable, and belongeth to the wiſdome of a Prince, when all evils cannot bee removed, to ſuffer the leaſt, that the greater may bee rooted out.

That

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That his Holineſſe peruſing the book, ſaw it was only a permiſsion to the Lutherans, that they may not without end, paſſe from one errour to another: and that it is not granted to the Catholikes to beleeve or do any thing, but according to the preſcript of the holy Apoſtolike Sea, which onely, as Miſtris of the faithfull, may make Decrees in point of Religion. And being aſſured that this was his Majeſties purpoſe, he told him it would be neceſſary to make an expreſſe declaration thereof, and not to give the reines ſo much to the Lutherans, eſpecially in the power of changing ceremonies, conſidering that, in the laſt point, he ſeemed to give them too much liberty, where he granteth, that the Ceremonies, which may give cauſe of Superſtition, ſhould be taken away. He added, that the Lutherans would hold it lawfull to retaine the Eccleſiaſticall goods, and juriſdiction uſurped, if they were not commanded to make reſtitution: wherein a Councell was not to be expected, but execution preſently made, and that, the ſpoyles being notoriouſly knowne, hee need not obſerve the nice points of Law, but proceed ſummarily, and with his Princely power.

The Eccleſiaſticall Electors approve the Popes cenſure of the Interim, eſpecially concerning reſtitution of goods uſurped by the Proteſtants:

This cenſure was imparted by *Cæſar* to the Eccleſiaſticall Electors, who did approve it; but, particularly, for the point of reſtitution of Eccleſiaſticall goods, they affirmed it was neceſſary, without which the worſhip of God could not bee reſtored, nor religion preſerved, nor peace well aſſured. And that becauſe the ſpoyle was manifeſt, juſtice did require a ſhort proceeding. All the Biſhops were of the ſame opinion. The ſecular Princes were ſilent for feare of offending the Emperour; and, by their example, the Ambaſſadours of the Cities ſpake but little, and of that little, little account was made. In regard of the Legates remonſtrance, the Emperour cauſed a Proheme to bee made to the booke, to this purpoſe, That, aiming at the peace of *Germany*, hee found it was impoſsible to make it, untill the differences of Religion were compoſed, from whence all the diſſentions and heart-burnings have riſen; and perceiving that a generall Councell in *Germany*, was the onely remedy herein, hee had cauſed it to begin in *Trent*, and perſwaded all the States of the Empire to adhere, and ſubmit unto it: but thinking not to leave things in ſuſpence, and confuſion, untill the Councell be celebrated, a forme was preſented to him by ſome great and zealous perſons, which, ſome learned having examined, by his appointment, they have found it not abhorring from the Catholike Religion, it being underſtood in a good ſenſe, except two Articles, the Communion of the Cup, and marriage of Prieſts. Therefore hee requireth the States, who untill then have obſerved the Lawes of the univerſall Church, to perſevere in them, and, as they have promiſed, not to change any thing; and thoſe that have innovated, either to returne to antiquity, or to conforme themſelves to that confeſsion, if, in any thing they have exceeded it, and to bee contented with it, not teaching, writing, or printing to the contrary, but expecting onely the declaration of the Councell. And becauſe, in the laſt point, leave is given to take away ſuperſtitious Ceremonies, hee reſerveth the declaration thereof to himſelfe, and of all other difficulties that ſhould ariſe. The fifteenth of May the Book was read in the publike aſſembly. The voyces were not taken according to the uſe, but onely the Elector did riſe, and thanked the

Wherefore the Emperour maketh a proheme to the Interim.

With which the Proteſtats are diſtaſted, though they accept it for feare.

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Emperour in the name of them all; who took the thanks for a generall approbation and aſſent. No man ſpake then a word: but the Princes, who did long ſince follow the confeſsion of *Ausburg*, when they were by themſelves, did ſay they could not accept it: and ſome of the Cities ſpake words which ſignified the ſame, though not openly, for feare of the Emperour. The book was printed in Latine and Dutch, by order from *Cæſar*, and afterwards tranſlated, and printed in Italian and French.

The Emperor publiſheth a reformation of the Clergie conteining 23 heads.

Beſides this, the Emperour publiſhed, the fourteenth of June, a reformation of the Clergie, which had beene maturely digeſted and collected by learned and religious men. It conteined 23. points. Of ordination and election of Miniſters. Of the office of the Eccleſiaſticall Orders. Of the office of Deans and Canons. Of canonicall houres. Of Monaſteries. Of Schooles and Univerſities. Of Hoſpitals. Of the office of a Preacher. Of the adminiſtration of the Sacraments. Of the adminiſtration of Baptiſme. Of the adminiſtration of Confirmation. Of Ceremonies. Of the Maſſe. Of the adminiſtration of Penance. Of the adminiſtration of Extreme Unction. Of the adminiſtration of Matrimonie. Of Eccleſiaſticall Ceremonies. Of the diſcipline of the Clergie and people. Of plurality of Benefices. Of the diſcipline of the people. Of Viſitations. Of Councels. Of Excommunication. In theſe points were conteined about an hundred and thirty precepts, ſo juſt, and full of equity, that if one ſhould ſay, never any reformation before was made more exact, and leſſe partiall, without cavils and traps to enſnare the unadviſed, he could not eaſily bee reproved, and if it had beene made by the Prelates onely, it would not have diſpleaſed at *Rome*, except in two points, where it giveth authority to the Councell of *Baſil*, and in ſome other places, where it medleth with diſpenſations, and exemptions, and other things reſerved to the Pope. But being made by the Emperours authority, it ſeemed more unſupportable then the *Interim*. For it is a fundamentall maxime of the Court *Rome*, that the Seculars, of what degree or honeſtie ſoever, cannot give a Law to the Clergie, though to a good end. But, becauſe they could not chooſe, they ſupported the tyranny (for ſo they ſaid) which they were not then able to reſiſt.

Which being made by ſecular authority, is judged in *Rome* more unſupportable then the *Interim*.

The Emperor giveth order for Dioceſan Synods.

A little after the Emperour gave order, that the Dioceſan Synods ſhould bee held at Saint *Martins* day, and the Provinciall before Lent. And becauſe the Prelates deſired that the Pope ſhould conſent, at the leaſt to thoſe points, which ſeemed not to diminiſh his authority, the Emperour offered them, by his hand-writing, dated the eighteenth of July, to uſe all diligence to perſwade his Holineſſe not bee wanting in his duty. This reformation was printed in many Catholique places of *Germany*, and alſo in *Milan*, the ſame yeare, by *Innocentius Ciconiaria*. The Diet of *Ausburg* ended the laſt of June, and the Receſſe was publiſhed; in which the Emperour promiſed that the Councell ſhould bee continued in *Trent*, and that hee would take order that it ſhould bee reaſſumed quickly; in which caſe hee commanded all the Eccleſiaſtiques to bee preſent, and thoſe of the Aguſtan confeſsion to go thither with his ſafe conduct, where all ſhould bee handled according to the word of God, and doctrine of the Fathers, and themſelves ſhould bee heard.

Concludeth the Diet.

And promiſeth the reſumption of the Councell in *Trent*.

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The Card. of *Ausburg*, and other Prelats, jealous that with theſe beginnings of confeſsions and reformations, made and publiſhed in Diets, the Popes authority would be thruſt out of *Germany*, prayed the Emperour to invite the Pope, to ſend an expreſſe Legat, to aſsiſt in the execution of the Decrees; alledging that it would be a meanes to facilitate the buſineſſe very much, becauſe many who ſtill reſpect the Pope, will labour more willingly, when they ſee his authority is in it. The Emperour being perſwaded that, when the ſtirres of Religion were pacified, *Germany* would remaine under his obedience, did imbrace every propoſition of facility, thinking the concluſion ſhould bee as pleaſed him. He cauſed an account to be given to the Pope, of whatſoever was done for reformation, and invited him to ſend one or two Legates. His Holineſſe ſent immediatly the Biſhop of *Fano* for his *Nuncio*, a Prelate acceptable to the Emperour, with pretence to underſtand better his Majeſties will concerning his requeſt, and to propoſe the reſtitution of *Piacenza*, and to remove the Spaniards from *Trent*. But having received the firſt anſwer from *Fano*, and conſulted with the Cardinals, he ſoone reſolved that it was not honourable for him to ſend a Miniſter, to execute the Emperours Decrees. Yet, for the reaſon which moved the Cardinall of *Ausburg*, he took a middle way, to ſend *Nuncii*, not for that end which the Emperour deſigned, but to grant abſolutions and graces, thinking it would do miracles, for maintenance of his authority, without prejudice of conſenting that another ſhould aſſume the power, which hee pretendeth to belong onely to himſelfe.

The Pope ſendeth the Biſhop of *Fano* for his *Nuncio* into *Germany*;

Therefore after *Fano*, he ſent the Biſhops of *Verona*, and *Ferentino*, for his *Nuncii* into *Germany*, to whom, by advice of the Cardinals, hee directed a Bull, dated the laſt of Auguſt, giving them commiſsion, to declare to all that will returne to the Catholike truth, that hee is ready to imbrace them, and will not bee hard in pardoning them, ſo that they will not give, but receive lawes, referring to the conſcience of his *Nuncii*, to remit ſomething of the old diſcipline, if they think it may bee done without publique ſcandall, giving them *Faculty* to abſolve fully, in both Courts, all ſecular perſons, though Kings and Princes, Eccleſiaſticall, and Regular, Colledges, and Communities, from all excommunications, and other cenſures, and even from temporall puniſhments, incurred for matter of hereſie, though they bee relapſed; and to diſpence with irregularities, in what caſe ſoever, even for *bigamie*, and to reſtore them to fame, honour, and dignity, with authority alſo to moderate or wholly remit, every abjuration and penance due, and to free communities, and particular perſons, from unlawfull bargaines, and conventions, contracted with thoſe that do erre, abſolving them from oaths, and homages made, and perjuries committed untill that time, for any former obſervances, and to abſolve alſo the Regulars from Apoſtacie, giving them power to weare the regular habite, under the habite of a ſecular Prieſt, and to give leave to every perſon, though Eccleſiaſticall, to eat fleſh, and forbidden meats, in Lent, and on faſting dayes, by the counſell of the corporall Phyſitian, or ſpirituall onely, or without any, if it ſeeme good to them, and to moderate the number of feaſts, and for thoſe who have received the communion of the *Chalice*, if they will humbly demand it, and confeſſe that

And afterwards two Biſhops more to whom hee giveth ample *Faculties* by his Bull.

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the Church doth not erre in denying it to the Laitie, to grant it unto them for life, or for ſo long as they ſhall think fit, ſo that it bee done neither in the ſame time nor place with that which is done by Decree of the Church. Hee granted them power alſo, to unite Eccleſiaſticall Benefices to Studies, Schooles, or Hoſpitals; and to abſolve the uſurpers of Eccleſiaſticall moveable goods, after the reſtitution of the immoveables, compounding alſo for the fruits uſurped, and moveables conſumed, with authority to communicate theſe *Faculties*, to other perſons of note.

Which is cenſured in *Germany*.

This Bull paſſed in all places; being printed upon the occaſion which ſhall be related, and afforded matter of diſcourſe. Firſt for the proheme; where the Pope ſaid, that, in the troubles of the Church, he was comforted by the remedy left by Christ, that the Corne of the Church winnowed by Satan, ſhould be preſerved by the faith of *Peter*, eſpecially after he had applyed the remedy of the generall Councell; as if the Church had no foundation but upon him, and ſixty perſons of *Trent*. Then they thought it a great preſumption to reſtore Kings and Princes to honours, fame, and dignity. There was alſo obſerved a contradiction, to abſolve from unlawfull oaths, which need no abſolution, and from true oaths no man can abſolve. And it was thought another contradiction, to grant the *Chalice* onely to him who beleeveth the Church doth not erre, in forbidding it to the Laitie. For how is it poſsible to beleeve ſo, and to deſire not to bee comprehended in the prohibition? But they could not forbeare laughing, when they read the condition, to abſolve the Friars who forſooke their cloyſters, to weare the habit covered; as if the Kingdome of God did conſiſt in a colour, or veſtment, which being not worne in ſhew, yet it was neceſſary to have it in ſecret. But though the *Nuncii* were ſoone deputed, yet their diſpatch was deferred untill the next yeare, becauſe the Emperour was not pleaſed with the manner of it, in which no mention was made to aſsiſt, or authorize the proviſions made by him; neither would the Pope ever bee perſwaded that any miniſter of his ſhould be preſent.

Why the diſpatch of the two *Nuncii* was deferred.

The Emperors *Interim* doth pleaſe neither the Proteſtãts nor the Catholiques,

The Emperour being parted from *Ausburg*, uſed all diligence, that the *Interim* might bee received by the Proteſtant Cities; but found reſiſtance and difficultie every where, becauſe they did deteſt it more then the Catholiques. They ſaid it was a totall eſtabliſhment of the Papacie. Above all, they found fault with the doctrine of Juſtification, and that the communion of the Cup, and marriage of Prieſts was queſtioned. *John Frederick* Duke of *Saxony*, though priſoner, ſaid freely, that God and his conſcience, unto which hee was bound above all, did not permit him to receive it. Where it was admitted, divers accidents, varieties, and confuſions did ſucceed, ſo that it was brought into ſome places diverſly, with ſo many limitations, and conditions, that one may ſay, it was rather rejected by all, then accepted by any. Neither did the Catholiques care to help forward the buſineſſe, becauſe they did not approve it themſelves. That which did hinder the Emperour moſt, was the modeſt liberty of a little weak Citie, which deſireth him, that, being Lord of their goods and life, hee would ſuffer that their conſcience might belong to God: that if the doctrine propoſed to them, were received by himſelfe, they ſhould have a great example to follow. But if his Majeſtie would compell

compell them to accept of, and beleeve that which himſelfe thought not true, they knew not how it could be done. In September the Emperour went into low *Germany*, where he found greater difficulties. For the Cities of *Saxonie* uſed many excuſes, and *Magdeburg* did oppoſe with a kinde of ſcorne. Wherefore it was *bandited* by the Emperour, and ſuſtained a long warre, that maintained the fire alive in *Germany*, which burned his Trophees; as in its place ſhall bee ſaid. By reaſon of this confuſion, and to give order that the Flemings ſhould ſweare allegiance to his ſonne, the Emperour, quitting *Germany*, went into *Flanders*; and though he ſeverely forbad, that the doctrine of the *Interim* ſhould be impugned by any, or written, taught, or preached againſt, yet many Proteſtants did write againſt it. And the Pope thinking it fit for his affaires to do it, gave order to *Franciſcus Romeus*, Generall of the Dominicans, that, aſſembling the moſt learned men of his order, by their opinion and paines, hee ſhould make a ſtrong, and ſound confutation. Many in *France* wrote againſt it alſo: and in a ſhort time there was, as it were, a whole ſquadron of Writers againſt it, Catholikes, and Proteſtants, eſpecially of the Hanſe-townes. And that did follow which doth ordinarily happen to him that will reconcile contrary opinions, that hee maketh them both agree to impugne his, and every one more obſtinate in defending his owne. There was alſo ſome cauſe of diviſion among the Proteſtants. For thoſe who had in part yeelded to *Cæſar* againſt their wils, and reſtored the old ceremonies, excuſed themſelves, and ſaid, that the things done by them were indifferent, and by conſequence, that did not concerne their ſalvation to reprove or receive them, and that it was lawfull, yea, neceſſary to tolerate ſome ſervitude, when no impiety was joyned with it; and therefore that, in theſe, the Emperour was to bee obeyed. Others, whom neceſsity had not compelled, ſaid it was true that indifferent things concerne not ſalvation: yet, by meanes of them, pernicious things are brought in; and, going on, they framed a generall concluſion, that Ceremonies and Rites, though by nature indifferent, do become then bad, when he that uſeth them hath an opinion that they are good, or neceſſary. And hence aroſe two Sects, and afterwards more differences amongſt them, which were never well reconciled.

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And is written againſt by both.

A diviſion among the Proteſtants.

Which was never well reconciled.

And in *England* there were no leſſe tumults for Religion. For *Edward* Earle of *Harford*, Uncle, by the mother, of *Edward* the young King, having gained authority with his Nephew, and the Grandies of the Kingdome, together with *Thomas Cranmer*, Archbiſhop of *Canterbury*, did favour the Proteſtants, and brought in ſome of their owne Doctors: and having laid ſome foundation of doctrine, eſpecially amongſt the Nobility, they aſſembled the States of the Kingdome, which they call a Parliament, and by publike Decree of the King, and of that, baniſhed the Maſſe: For which a little after, a popular ſedition being made, by thoſe who required the reſtitution of the Edicts of *Henry* 8. in favour of the old Religion, a moſt grievous confuſion and diſſention did ariſe in the Kingdome.

Troubles in *England* about Religion.

Saint *Martins* day being come, though the confuſions of *Germany* were great, the Dioceſan Councels were held in many Cities, and the new reformation of the Emperour was received, changing the forme onely, as it ſeemed to agree beſt to the manner of decreeing in every Dioceſſe; yet without

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provision made for the execution: and all ſeemed to be well done merely for ſhew. Before Lent no Provinciall Synod was held according to the Imperiall Decree. In the beginning whereof the Elector of *Collen* began his: and ſhewing the neceſsity to amend the Clergie, added that all hope was in the Councell of *Trent*, which was begun with ſome happie ſucceſſe: which hope being quite loſt, by the unexpected delay, cauſed by the diſcords of the Fathers in tranſlating it, the Emperour, not to faile in his duty, having conquered the rebels, did reſtore the Catholike Doctrine and Ceremonies, referred to the Councell onely the determination of two Articles, and ordained the reformation of the Clergie; for execution whereof, the Synod had, againſt *Paſſion Sunday*, eſtabliſhed a forme, agreeable to their mother Citie. Then he added the Decrees, in which no matter of faith was handled, but onely the means to reforme the diſcipline, to the number of ſix. The reſtauration of ſtudies. The examination of thoſe who are to receive orders. The office of every Order: Viſitation: Synods: reſtitution of Eccleſiaſticall juriſdiction: with many Decrees in every point, upon each of which a long diſcourſe being made, with many precepts, a thing fit for a ſpeculative Treatiſe, in concluſion 38. points were added, for reſtitution of ancient Eccleſiaſticall Ceremonies, and uſes. The *Low Countreys*, the Emperors inheritance, are ſubject to *Collen*, as the Metropolitan Citie: wherupon the Emperour taking notice of that Councell, and cauſing it to be examined by his Councellours, and Divines, approved it by his letters, dated the fourth of July, and commanded it ſhould bee received, and obſerved, in all his Countries, charging the Magiſtrates to ſee the execution of it, if they were required.

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The Provinciall Councell of *Collen*;

The Decrees whereof the Emperour would have obſerved in the *Low Countreys*, as being ſubject to that Sea.

Sebaſtian, Elector of *Mentz*, obſerved not the ſame ſtile; who, the third week after Eaſter, in the Councell of his Province, made 48. Decrees in doctrine of faith, and 56. in matter of reformation. In the points decided by the Councell of *Trent* hee followed the ſame doctrine; in others, the more common opinion of the Schoole-men, abſtaining from places controverſed among them. Amongſt theſe the 41. and 42. points are remarkable; where hee teacheth and repeateth againe that Images are not propoſed to bee adored, or have Divine worſhip done unto them, but onely to call that to our memory which is to be worſhiped: and if, in any place, a popular concourſe bee made to any image, and it appeare that ſome Divinity is attributed to it, it ought to bee taken away, and another put in the place, differing from it in quantity, that the people may not bee perſwaded to beleeve, that God and the Saints are induced to do that which is demanded of them, by meanes of the jmage, and not otherwiſe. And the 45. is as well worthy to bee obſerved; where hee ſaith that the Saints are to bee honoured, but with the worſhip of ſocietie, and love, as alſo godly men may be honoured in this life, but onely that the bleſſed Saints are to bee honoured with more devotion, becauſe their ſtate is more ſecure. Which explications, being well conſidered, do ſhew how much the opinions of the Catholique Prelates of *Germany* do differ from thoſe of the Court of *Rome*, and from the practice brought in after the Councell of *Trent*. And every one, taking example by this Councell, which hath decreed ſo many Articles of Religion, may aſſure himſelfe how true that is which the Popes have cauſed to bee ſpoken ſo often in *Germany*, that

The Provinciall Councell of *Mentz*,

In which two points are remarkable.

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that Religion cannot bee handled in a Nationall Councell. And though one may ground himſelfe more upon divers Provinciall Councels of *Africa*, *Egypt*, of *Syria*, and other parts of the Eaſt, yet this, being moderne, though not of ſuch conſequence, will perhaps more provoke the Reader to mark it. The Elector of *Triers* did celebrate alſo his Synod: and other Metropolitans, not departing from the Communion of the Pope, did all publiſh the Imperiall Edicts of *Ausburg*, as well for the *Interim* of Religion, as for the Eccleſiaſticall reformation.

Other provinciall Councels are held.

The *Nuncii*, deſtinated by the Pope the yeare before, and deferred, for the cauſes aforeſaid, began their journey for *Germany*; who, in every place where they paſſed, were deſpiſed, even by the Catholikes themſelves: ſo odious was the Popes name, and the very habit of his Miniſters, in regard of his differences with the Emperour, and of the courſes he took. And finally, in the end of May, they went to *Cæſar* into the Low Countreys, where, after long diſcuſſion how to execute the Popes commandements, there being difficultie in every propoſition for one part or other, in fine the Emperour reſolved, that, having faculty from the Pope to ſubſtitute, they ſhould ſubſtitute the Biſhops, every one in his owne Dioceſſe, referring all to their conſciences. This match was not readily made by the *Nuncii*; yet condeſcending at the laſt, a ſubſtitution was printed, in the name of the three *Nuncii*, leaving a place for the name of the Prelate, unto whom it was to be directed; and inſerting firſt the tenour of the Popes Bull, and, alledging for cauſe of the ſubſtitution, their not being able to bee in every place, they did communicate their authority, with advice not to grant the Communion of the Cup, and uſe of eating fleſh, but with great maturitie and evident profit, prohibiting that ought ſhould bee paid for thoſe Graces. *Cæſar* undertook to ſend them to whom, and where it was fit, and to what place ſoever hee addreſſed them, he gave them to underſtand, that the proceeding ſhould be with gentleneſſe and dexterity. There was very little uſe o ſtheſe faculties; for thoſe that continued in the Popes obedience, had no need of them, and thoſe who were aliened, did not onely not care for them, but refuſed them alſo. A few dayes after, *Ferentino* departed, *Fano*, and *Verona* remained with *Cæſar*, untill the Archbiſhop of *Siponto* was ſent by *Iulius* the third, as ſhall be ſaid in its place.

The *Nuncii* go into *Germany*, and are deſpiſed in all places.

Their *Faculties* did but little good.

At the ſame time the French King, making his firſt entry into *Paris*, the fourth of July, cauſed a ſolemne proceſsion to bee made, and publiſhed an Edict, rendring a reaſon thereof, that hee did it to ſignifie unto all, that hee received the protection of the Catholike Religion, and of the Apoſtolike Sea, and the care of the Eccleſiaſticall order: and that hee abhorred the novitie of Religion, and teſtified to all his will to perſevere in the doctrine of the Church of *Rome*, and to baniſh the new hereticks out of all his Dominions; and hee cauſed this Edict to be printed in French, and ſent it into all parts of his Kingdome. Hee gave leave alſo to his Prelates to make a Provinciall aſſembly to reforme the Churches; which being knowne at *Rome* was thought to bee a bad example, and might bee a beginning to make the French Church independant of the Church of *Rome*. Hee cauſed alſo many Lutherans to bee put to death in *Paris*, himſelfe being preſent at the ſpectacle: and in the beginning

The French King maketh his firſt entry into *Paris*, & publiſheth an Edict in favour of the Roman Religion.

And uſeth much ſeverity againſt the Lutherans.

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ginning of the next yeare he renewed the Edict againſt them, laying grievous puniſhments upon the Judges, who were not diligent in detecting and puniſhing them.

The Pope dieth with paſsion.

But the Councell in *Bolonia* having ſlept two yeares, the ſeventh of November, the Pope, ſeeing a letter of Duke *Octavius*, his nephew, that hee would make an agreement with *Ferrandus Gonzaga*, to enter into *Parma*, which Citie the Pope cauſed to be held in the name of the Apoſtolike Sea, he was ſo aſſaulted with perturbation of minde and anger, that he ſwouned, and, after ſome few houres, comming to himſelfe, hee fell into a Feaver, whereof he died within three dayes. This made *Monte* to part from *Bolonia*, to be at the Election of the new Pope, and all the other Prelats to retire to their houſes. The cuſtome is, that the Cardinals do ſolemnize the *Obſequies* of the defunct Pope nine dayes, and enter into the Conclave the tenth. Then, by reaſon of the abſence of many, they entred not untill the 28. of the moneth. The Cardinall *Pacceco* left not *Trent* untill the Emperour, underſtanding of the Popes death, gave him order to go to *Rome*, where he arrived many dayes after the Conclave was ſhut up. The Cardinals being aſſembled to create the Pope, and making capitulations, according to the cuſtome, which every one ſweareth to obſerve, in caſe he ſhall be elected, the firſt was to proſecute the Councell. Every one thought the new Pope would have beene elected before *Chriſtmas*. For the holy gate, for the *Jubile* of the next yeare 1550. being to be opened on the Eve of the Feaſt, at which the Popes preſence was neceſſary, and there being that yeare a great concourſe of people to that devotion, every one beleeved that this would move the Cardinals to proceed quickly to the election. Theſe were divided into three factions; Imperialiſts, French, & Dependants on the dead Pope, and by conſequence, on his nephewes. The Imperialiſts would have created Cardinall *Poole*; and the French, *Salviati*: But neither of theſe parties was able to make the election of it ſelfe, nor to agree, in regard of the contrarie ends of their Princes. The Dependants of the *Farneſi* were able to conclude the election, to which part ſoever they adhered: and they were contented to chooſe Cardinall *Poole*, for the goodneſſe of his diſpoſition, and his continuall obſervance of the Pope and the Cardinall *Farneſe*. But Cardinall *Theatino* oppoſing him, and ſaying hee was blemiſhed with Lutheraniſme, made many retire. *Farneſe* did not adhere to *Salviati*, and was reſolved not to conſent, but upon ſome creature of his Uncles. The intereſts of the factious were ſo great, that the reſpect of the holy yeare, and the expectation of ſo much people, who were aſſembled all that day untill night, could not prevaile.

The election of the new Pope.

Card. *Poole* was named to be Pope,

But not elected for ſuſpicion of Lutheraniſme.

At the laſt, the partie of *Farneſe*, aſsiſted by the French-men, did overcome, and *John Maria di Monte*, Legate of the Councell in *Trent* and *Bolonia*, was created, upon whom *Farneſe* did concurre, thinking him a faithfull ſervant to him, and his grandfather, and the French-men thinking hee would favour their King, and croſſe the Emperour, in regard of the Tranſlation of the Councell to *Bolonia*. Neither were the Imperialiſts againſt him, becauſe *Coſmo*, Duke of *Florence*, made them beleeve that hee favoured the French no more then his thankfulneſſe to the Pope had conſtrained him, whoſe intereſts hee thought hee was bound to maintaine; ſo that this cauſe being

Card. *Monte* is created Pope.

removed

removed, he would carry himſelfe uprightly. Many did love in him his naturall liberty, free from hypocriſie and diſsimulation, and open to all. Immediatly after the election, in conformitie to that which was capitulated, hee did ſweare to proſecute the Councell. He was elected the eighth of February, and crowned the 23. and 25. he opened the holy gate. 1550 JULIUS 3. CHARLES 5 EDVVARD 6 HENRY 2.

The Emperour, perceiving that the affaires of Religion in *Germany*, did not go as he would have them, hoping to remove the difficulty by his preſence, did intimate a Diet for that yeare in *Ausburg*, and ſent *Lewis d' Avila* to congratulate with the Pope for his aſſumption, and to deſire him to ſet the Councell on foot againe. The Pope anſwering with as much courteſie, made great offers of his good will. For the Councell, his anſwer was in generall termes onely, being not as yet reſolved in himſelfe: and ſpake hereof with the ſame irreſolution to the Cardinall of *Guiſe*, who was to returne into *France*; but affirmed that he would not do it, before he had communicated every thing to the French King. And to Cardinall *Pacceco*, and other Imperialiſts, who often ſpake thereof with him, he ſaid, hee would eaſily accord with the Emperour in this particular, ſo that the proceeding were ſincere, to confound heretiques, to favour the Emperours deſignes, and not, to diſfavour the Apoſtolique Sea: wherof he had many conſiderations, which, in fit time, he would make known to his Majeſtie. Hee preſently gave a taſte what his government would bee, ſpending whole dayes in gardens, plotting out delicious buildings, and ſhewing himſelfe more inclined to pleaſure then buſineſſe; eſpecially when any difficulty was annexed. The Emperours Ambaſſadour, *Don Diego*, having curiouſly obſerved theſe things, wrote to the Emperour, that all the negotiations of his Majeſtie with the Pope, would eaſily ſucceed; for that, being carried away with delights, one might make him do what hee would, by making him afraid. And the opinion was more confirmed, that hee would bee more addicted to his private affection, then to the publique good, by the promotion of a Cardinall, which he made the laſt of May, to whom he gave the Cap, according to the cuſtome.

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The Emperour ſendeth an Ambaſſadour to the Pope to congratulate, and to deſire a reſtitution of the Councell.

The new Pope is more inclined to pleaſure then buſineſſe.

John Maria di Monte, when he was Biſhop of *Siponto*, being governour of *Bolonia*, received into his houſe a boy of *Piacenza*, of unknowne parents, and loved him as if hee had beene his owne ſonne. It is recorded, that, being ſick in *Trent*, of a great and long ſickneſſe, whereof the Phyſitians thought hee would die, hee ſent him, by their counſell, to *Verona*, to change the Aire; where having recovered his health, and returning to *Trent*, the day of his arrivall, the Legate went out of the Citie for recreation, accompanied with many Prelates, and met him neare the gate, ſhewing many ſignes of joy. This gave matter of diſcourſe, whether it were by chance, or whether the Cardinall, going forth under another colour, had a ſecret purpoſe to meet him. Hee was wont to ſay, that he loved and favoured him, as author of his owne fortune, becauſe the Aſtrologers had foretold, hee ſhould have great dignity and riches, which hee could not have, if hee did not aſcend to the Papacie. So ſoone as he was created Pope, his will was, that *Innocentius* (for ſo the young man was called) ſhould bee adopted the ſonne of *Boldwin di Monte*, his brother, by which adoption, hee was called *Innocentius di Monte*.

He createth a ſtrange Cardinall.

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Having given him many benefices, on the day aforeſaid, he created him Cardinall, giving ſubject of diſcourſe, and Paſquins, to the Courtiers, who did ſtrive to ſhew the true cauſe of ſuch an unuſuall action, by conjectures of divers accidents paſt.

The Emperor eſtabliſheth the Inquiſition in the low Countreys,

Charles, before he parted out of the Low Countreys, eſtabliſhed the Inquiſition there: whereat the Dutch and Engliſh Merchants, of whom there were many in thoſe parts, being much moved, had recourſe to Queen *Mary*, and the Magiſtrates, deſiring a mittigation of the Edict, or, otherwiſe, proteſting they would depart. Thoſe who were to execute the Edict, and inſtitute the Inquiſition, found difficulty every where; ſo that the Queen was enforced to go to *Ceſar*, who was in *Ausburg*, to celebrate the Diet, to perſwade him that the populous Countrey might not be made deſolate, and ſome notable ſedition ariſe. *Ceſar* yeelded very hardly; yet, in the end, he was content to take away the name of Inquiſition, and to revoke whatſoever in the Edict did concerne ſtrangers, all ſtanding firm which belonged to the Naturals of the place.

And revoketh it as farre as concerneth ſtrangers.

The Emperor requireth of the Pope a preciſe anſwer concerning the Councell:

The Emperour dealt with the Pope by his letters and Ambaſſadour, to reaſſume the Councell of *Trent*, deſiring a preciſe anſwer, not ſuch as hee gave to *D' Avila*, nor with ſuch ambiguity as he uſed to treat with Cardinall *Pacceco*, but that he would let him know the Capitulations which he required, that he might reſolve whether that medicine would cure the maladies of *Germany*, or ſhould think of other remedies, it being impoſsible to continue longer in that State.

And the Pope doth ſeriouſly deliberate what anſwer to make.

The Pope, conſidering with his inward friends, that this was the moſt important deliberation which could happen in all his Papacie, did ballance the reaſons which might perſwade or diſſwade it. Firſt hee conſidered, that, remitting the Councell to *Trent*, hee condemned the Tranſlation to *Bolonia*, which was principally his deed, and ſo ſhould plainly confeſſe he had done amiſſe, either willingly, or at the inſtance of another. And if there had beene nothing but the Tranſlation, it had not beene a matter of ſo great weight. But having made himſelfe a party to defend it, and ſo earneſtly, hee could not excuſe himſelfe of malice, if hee did ſo eaſily retract it. And, which imported moſt, he ſhould put himſelfe into all thoſe dangers, from which *Paul*, a moſt wiſe Prince, thought fit to ſecure himſelfe, and perſevered in that opinion until his death: and that it was a manifeſt error to re-enter into them. And though many were not ill affected to him, being a new Pope, yet it is certaine that the major part do not pretend to be grieved at the Pope, but at the Popedome: and, for this particular, no man can bee ſure, that ſome thing may not happen in the progreſſe, which may raiſe him greater hatred, though without his fault. Beſides, all men are not moved with hatred; but thoſe that hurt moſt, deſire to advantage themſelves by depreſsing others. Therefore it may bee concluded that the ſame reaſons which moved *Paul*, would conſtraine *Julius* alſo to the ſame reſolution. He conſidered the great troubles that *Paul* ſuſtained 26. moneths for this cauſe, and the indignities which hee did neceſſarily ſuffer, and the diminution of the Papall authority, not onely in *Germany*, but in *Italy* alſo. And if this did derogate from *Paul*, confirmed ſo many yeares in the Papacie, and eſteemed by all, it would do it from him much more, being a new Pope, not having as yet made intelligences, and

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adherences, neceſſary for the enterpriſe of conteſting, and if a proteſtation ſhould be laid on his back, or a Decree, as the *Interim*, his authority would bee ſcorned by all. He was not to reckon of the paines in tranſlating the Councell, and his conſtancie in defending it, becauſe with the change of fortune, whatſoever dependeth on it is changed, and the actions of *John Maria di Monte*, do not appertaine to Pope *Iulius*, and thoſe things which gave reputation unto that man, do not give it unto this. Then it was fit to do as he did, to ſhew himſelfe a faithfull ſervant of his Lord; but now, being Lord himſelfe, the reſpect of conſtancie in ſerving well doth quite ceaſe, and another doth ſucceed, which requireth wiſdome, in applying himſelfe to the times. He conſidered how popular the Emperours requeſt was, in regard the reducing of *Germany* was in queſtion, and how ſcandalous it would bee not to hearken unto it. The cauſes which moved to make the Councell, were plaine and manifeſt to all; thoſe which diſſwaded were ſecret, and knowne to few. Finally, the Oath made, and iterated, ought to bee regarded; which though it did binde to proſecute the Councell, without preſcribing the place, yet it was certaine, that, without the Emperours conſent, being King of *Spaine* and *Naples*, Prince of the low Countries; and having other adherences in *Italy*, it was impoſſible to make a generall Councell; ſo that, to refuſe to bring it back to *Trent*, and not to proſecute it, was all one. He inclined to this part moſt, as moſt agreeable to his diſpoſition, deſirous rather to flie preſent incommodities, then avoid future dangers. For chooſing to celebrate the Councell, he was delivered from the trouble which the Emperour would give him; and for the dangers which it brought, he began to eſteeme them leſſe. He thought the Emperours fortune was not then the ſame as it was two yeares before. For at that time the expectation of the victorie, which hee after obtained, gave him reputation; which now ſeemeth rather to be burdenſome to him, then any eaſe. He holdeth two Princes priſoners, as wolves by the eares. The Cities of *Germany* do openly incline to rebellion. The Eccleſiaſticks have a ſatiety of that domination. There are alſo domeſticall croſſes, in regard of his ſonne, brother, and nephew, who aſpire to the Empire; a buſineſſe, which perhaps may give him trouble, beyond his forces. In fine, he concluded, according to his diſpoſition, Let us get out of the preſent difficultie, with hope that our good fortune will not abandon us.

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And concealing his reſolution, hee deputed a Congregation of Cardinals, and other Prelates, for the moſt part Imperialiſts, that they might fall upon the reſolution which hee had taken, mingling ſome few of his truſtie friends amongſt them, to governe the buſineſſe according to his purpoſe. To theſe he propoſed the Emperours requeſt; giving order that without all reſpect, every one ſhould ſpeak what hee thought convenient for the ſervice of GOD, and the Apoſtolike Sea. And in caſe they thought fit to condeſcend, they ſhould think how to do it with honour, ſecuritie, and fruit. The Congregation having often conſulted, related to the Pope, that they were of opinion the Councell ſhould be proſecuted, becauſe ſuch an Oath was taken in the Conclave, and by his Holineſſe, after his aſſumption, and to take away ſcandall from the world, which without doubt would be very great, in caſe it

He concealeth his reſolution untill it bee confirmed by a congregation of Cardinals and Prelates.

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were not done. And it might bee proſecuted two wayes; one by continuing it in *Bolonia*, another by remitting it to *Trent*. It could not bee continued in *Bolonia*, becauſe *Paul* had called to him the cauſe of the Tranſlation, and inhibited to proceed any further. If his Holineſſe did not firſt give ſentence that the Tranſlation was good, it was not lawfull to go on in that Citie: and if hee did, he would give a lawfull pretence to be ſuſpected, it being knowne that the Tranſlation was made by him, as being the prime Legate, and Preſident. Therefore onely the other way remained, to remit it to *Trent*; and all occaſion was ſo taken away from *Germany* to ſpurne againſt it, and the Emperour was ſatisfied, which was a very eſſentiall point. This advice, being brought to the Pope, was approved by him: and ſo they paſſed to that which remained.

The difficulties of remitting the Councell to *Trent* are debated;

And firſt it was concluded, that the conſent and aſsiſtance of the French King was neceſſary, and the preſence of the Prelates of his Kingdome; otherwiſe the reputation of the Councel would be very weak, and they ſhould be in danger to looſe *France*, onely to indeavour to regaine *Germany*, which is loſt: which were, according to the fable, to let the body fall, to get the ſhadow. It ſeemed hard to perſwade that King, and to take from him all ſuſpition, if the Councell were celebrated in a place ſubject unto the Emperour, and neare unto his armie. But examining what thoſe ſuſpitions might be, they could finde none, but that the Councell might determine ſomething, in prejudice of the government of that Kingdome, or againſt the priviledges of that Crowne, or againſt the liberty of the French Church: in which, if he were ſecure, it could not be doubted but that, for the hereditarie obligation to protect and favour the Apoſtolike Sea, he would aſsiſt, and ſend his Prelates. The ſecond difficultie was, that the Italian Prelates, being poore, could not beare the charge of that place, and the Apoſtolike Chamber, being exhauſted, could ill ſupply as much as was needfull, beſides the charge of maintaining the Legates and Officers of the Councell, and other extraordinaries. Whereof thinking often, they could finde no way to hold the Councell without expence, and that is was neceſſary to drink of this Cup: but ſuperfluities might well bee cut off, by diſpatching the Councell quickly, and not tarrying there longer then was neceſſary. The third difficulty was, that the Proteſtants would call into queſtion the things determined; wherein all the Congregation reſolved readily, that they ſhould make their meaning plaine, that they ought to bee eſteemed as infallible, and not ſuffer them to be diſputed on: and to declare this before the Councell, not deferring to make themſelves underſtood untill then.

Of which, the greateſt is the danger of the Popes authority.

The fourth and moſt important difficultie of all, was the authority of the Apoſtolike Sea, as well in the Councell, as out of it, and over it; which not the Proteſtants onely do impugne, but many Princes alſo would reſtraine, and many Biſhops did thinke to moderate. This was the chiefe cauſe why the former Popes would not bee perſwaded to call a Councell; and *Paul* who was brought to it, did perceive it in the end, and provided againſt it, by the Tranſlation. This danger was ſeene by all; but none could ſet downe a way to eſcape it, but by ſaying, that God who had founded the Romane Church, and placed it above others, would diſsipate all counſell taken

taken againſt it. This, ſome beleeving for ſimplicitie, ſome for their intereſt, ſome becauſe they knew not what elſe to ſay, ſeemed not ſufficient. 1550 JULIUS 3. CHARLES 5. EDVVARD 6 HENRY 2.

But Cardinall *Creſcentius*, grounding himſelfe much upon this confidence, ſaid, that there was no humane action in which there was not ſome danger; that the warre did ſhew as much, which is the chiefeſt, which is never enterpriſed, though with never ſo much aſſurance of victory, but there is danger of loſſe and totall deſtruction; neither is there any buſineſſe undertaken, with ſo much certainty of a good iſſue, which may not ſuddenly fall into great inconveniences, for unknowne, or lightly eſteemed cauſes. But he that is forced, for avoiding other evils, to yeeld to ſome reſolution, muſt not care for it. Things are in ſuch a ſtate, that, if the Councell be not held, there is more danger that the world, and the Princes, being ſcandalized, will aliene themſelves from the Pope, and do more *de facto*, then in the Councell, by diſputations and Decrees. Danger is to bee incurred either way, and it is beſt to take the moſt honourable and leaſt dangerous part. But many proviſions may bee made to divert it; as to keep the Fathers of the Councell buſied, as much as may bee, in other matters, and ſo to hold them in exerciſe, that they may not have time to thinke of this; to keepe many in amitie, eſpecially the Italians, with perſwaſions and hopes, and by other meanes uſed heretofore; to hold the Princes counterpoyſed, nouriſhing ſome differences of intereſts betweene them, that they may not joyntly undertake ſuch an enterpriſe; and, if one do it alone, the others will oppoſe it: and a wiſe man will finde other remedies in the very fact, by which hee will bee able to carrie matters along, and make them vaniſh. This opinion was approved, and a reſolution taken, that no demonſtration of feare ſhould bee made, but onely that it ſhould bee intimated to the Emperour, that this is foreſeene, but that no man careth for it, becauſe there is a remedy prepared.

The feare whereof Cardinall *Creſcentius* removeth.

This conſultation being maturely made, and a reſolution taken to reſtore the Councell in *Trent*, the Pope gave an account thereof to the Cardinall of *Ferrara*, and the French Ambaſſadour, and diſpatched an expreſſe currier to the French King, to ſignifie his purpoſe unto him, ſaying hee would ſend a *Nuncio* unto him, to relate more particularly the reaſons which moved him. And, in the end of June, hee diſpatched two *Nuncii* at once, *Sebaſtianus Pigbinus*, Archbiſhop of *Siponto*, to the Emperour, and *Triulcius*, Biſhop of *Tolone*, to the French King. To the firſt hee gave inſtructions, to ſpeake in conformitie of the reſolutions taken in the Congregation. Hee gave order to *Triulcius* to go by poſte, that he might adviſe what the Kings minde was, which hee deſired to know before hee proceeded any further. Hee gave him inſtruction to give a particular account of the cauſes why hee reſolved to bring back the Councell to *Trent*; becauſe *Germany* did ſubmit to it; becauſe the Emperour did deſire it; becauſe it could not continue in *Bolonia*, for the cauſe before related; and that the Proteſtant affaires might not bee accommodated in ſome prejudiciall manner, laying the blame on the Pope. But that his firſt and principall

The Pope ſendeth *Nuncii* to the Emperour, and French King, to give an account of his reſolution.

The inſtructions of the French *Nuncio*.

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cipall ground was the aſsiſtance of his moſt Chriſtian Majeſtie, and the preſence of the Prelates of his Kingdome: which hee hoped to obtaine, becauſe his Majeſtie was protector of the faith, and an imitator of his anceſtours, who never departed from the opinion and counſels of Popes. That in the Councell they would applie themſelves to the declaration and purifying of the points of doctrine, and reformation of manners: neither ſhould any thing concerning the States, Dominions, and particular priviledges of the Crowne of *France* bee handled. That, to the Emperours requeſt, to underſtand, whether the Pope would proſecute the Councell in *Trent*, or not, the Pope had anſwered hee would, with the conditions diſcuſſed in the Congregation, all which hee gave order to his *Nuncio* to communicate to the King; whoſe minde hee deſired to know, as ſoone as might bee, hoping to finde it conformable to the pietie of his Majeſtie, to the love which hee beareth to him the Pope, and to the confidence which hee hath in him. Hee alſo charged the *Nuncio* to communicate all his inſtructions to the Cardinall of *Guiſe*, and, with him, or otherwiſe, as he thought beſt, to declare it to the King, and to whom elſe he thought fit.

The inſtructions of the *Nuncio* who was ſent to the Emperor.

Hee gave the like inſtruction to the other *Nuncio*, in particular, to tell the Emperour, that the Pope did really ſhew the obſervation of whatſoever hee had promiſed to *Don Pedro di Toledo*; that is, to proceed whith his Majeſtie ſimply, plainely, and without artifice, and to repreſent unto him his willing minde to proſecute the Councell, for the glory of God, diſcharge of his owne conſcience, and for the good which thereby might redound to his Majeſtie and the Empire. And, to anſwer the Emperours motion, to make the knowne capitulations which hee required, hee ſhould tell him, that hee never dreamed to make any bargaines or capitulations, for proſecuting the Councell, but onely ſome neceſſary conſiderations, which hee charged his *Nuncio* to expound to his Majeſtie; and they were foure. The firſt, that the aſsiſtance of the moſt Chriſtian King, and the intervention of the Prelates of his Kingdome, was neceſſary; without which the Councell would have but ſmall reputation, and it might bee feared that a Nationall Councell would ariſe, or *France* be loſt. That they ought not to deceive themſelves: For as *Trent* was a ſecure place for his Imperiall Majeſtie, ſo it was too unſecure for the moſt Chriſtian King; and therefore that it was fit to finde a way to ſecure him. That hee ſhould communicate to the Emperour the way which he had found out; which if it were not ſufficient, it would be neceſſary that his Majeſtie ſhould adde ſome thing elſe. The ſecond conſideration was, the expences which the Apoſtolike *Chamber*, exhauſted and charged with debts, was to make, for the Legats, and other extraordinaries, which the Councell bringeth with it, and likewiſe for the expences which the poore *Italian* Prelats cannot beare in that place. Therefore that it will bee fit to calculate the time well, as well for the proceeding, as the beginning, that an houre may not bee ſpent in vaine; otherwiſe the Apoſtolike Sea will not bee able to beare the charge, nor to keep the Italian Prelates from being impatient, as former experience hath taught. Beſides, it is not honourable for the Apoſtolike Sea to keepe the Legates idle, and at anchor,

Foure conſiderations propoſed by the Pope to the Emperour.

anchor, without doing any good. That it was neceſſary, that, before they come to the act, his Majeſty ſhould be ſecure of the intention and obedience, as well of the Catholikes in *Germany*, as of the Proteſtants, eſtabliſhing things againe in the Diet, cauſing authenticall mandates of the Countries and Princes to be diſpatched, his Majeſtie and the whole Diet together, binding themſelves to execute the Decrees of the Councell, that the paines and coſt prove not vaine and ridiculous, and hereby to take all hope from whomſoever did think to diſturb the Synod. That, in the third place, his Majeſtie ſhould conſider, that it was neceſſary to declare, that the Decrees already made in *Trent*, in matter of faith, and thoſe of other former Councels, may not, by any meanes, bee queſtioned, nor that the Proteſtants may demand to be heard concerning them. Laſtly, that he ſhould tell the Emperour, that the Pope did beleeve, that his Majeſties good will towards him, was reciprocall, and that, as he did readily condeſcend to favour the affaires of his Majeſtie, and of the Empire, by holding the Councell in a place ſo fit for his purpoſe, ſo he deſireth that his ſincerity and reality, may not bring a burthen upon him. That he hopeth, if any one ſhall attempt ought againſt it, by cavillations or calumnies, that his Majeſtie will not marvell, if hee uſe the remedies which ſhall occurre, for defence of the authority given immediatly by God to him, and the Apoſtolike Sea, as well in Councell as out. 1550 Julius 3. Charles 5 Edvvard 6 Henry 2.

The Pope thought it profitable for his affaires, that his reſolution ſhould bee fully knowne in *Italy* and *Germany*; and bade *Julius Cananus* his Secretary, making ſhew to favour ſome Courtiers, his friends, to communicate the foreſaid inſtructions unto them with obligation of ſecrecie: by which meanes they were ſpread every where. The Pope had a ſpeedy anſwer from his new *Nuncio* in *France*. For that King, underſtanding the cauſes why the Pope could have but little confidence in the Emperour, in regard of ſome things paſt, thinking hee was much inclined to *France*, made great demonſtration to bee well pleaſed with the *Nuncio*, and his meſſage; offered to the Pope whatſoever hee was able to do for him; promiſed to aſsiſt the Councell, and to ſend the Prelates of his Kingdome, and all favour and protection, for maintenance of the *Papall* authority. The French King maketh large offers to the Pope.

The Emperour, hearing the propoſition of the Archbiſhop of *Siponto*, and conſulting maturely of it, did commend the ingenuity and wiſdome of the Pope, that, knowing the publique neceſsity of holding the Councell in *Trent*, had found a convenient way to remit it without further proceeding in the cauſe of the Tranſlation; a thing diſtaſtfull, of much difficulty, and of no profit. Hee added, that the foure conſiderations were all important, and reaſonably propoſed by his Holineſſe. That, for *France*, he did not onely commend what he had conſulted, but offered to joyne with him, to give all poſsible ſecurity to that King. That it was reaſonable to cut off ſuperfluous charges, and not to ſuffer the Councell to be open, and idle. That a Decree was made in *Ausburg*, a yeare ſince, that all *Germany*, even the Proteſtants alſo, ſhould ſubmit themſelves; a copie whereof hee would give to the *Nuncio*, and cauſe it to be confirmed in the preſent Diet. That hee thought it not a fit time now to treat, that the things already decided in *Trent*, ſhould not bee queſtioned, becauſe it would bee done more opportunely in that Ci- The Emperors anſwer to the Pope.

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tie, when the Councell was aſſembled. And for the authority of his Holineſſe and the Apoſtolique Sea, as hee hath formerly beene a protectour of it, ſo hee will bee hereafter, defending it with all his forces, and even with his owne life, if there were occaſion. That he could not promiſe his Holineſſe that no unquiet ſpirit ſhould ſpeak or treat in the Councell; but hee gave his word, that, in caſe it did happen, hee would ſo oppoſe, that hee ſhould commend him for his paines.

The Emperour, as hath beene ſaid, was in *Ausburg*, to hold the Diet; which, though it was not ſo compaſſed with armes as the former, yet it was alwayes armed. He propoſed the proſecution of the Councell of *Trent*, the obſervation of the *Interim*, made in the laſt Diet, and the finding a way for reſtoring of Eccleſiaſticall goods, and the renewing of juriſdiction. It pleaſed the Catholique Princes, that the Councell ſhould be proſecuted; but the Ambaſſadours of ſome Proteſtant Princes did not conſent, but with theſe conditions; That the things already determined in *Trent* ſhould bee reexamined; that the Divines of the Auguſtane confeſsion, ſhould not onely bee heard, but have a deciding voyce; that the Pope ſhould not preſide, but ſhould ſubmit himſelfe alſo to the Councell, and releaſe the Biſhops of their oath, that they may ſpeak freely. The Emperour complained of the Proteſtants, that his Decree of the *Interim*, was not obeyed by them; and of the Catholikes, that the reformation of the Clergie was not executed. Theſe excuſed themſelves, ſome by ſaying, that they were to proceed ſlowly, avoyding diſſentions; others, that the exempt, pretending priviledges, would not obey. The Proteſtants laid the cauſe upon the people, who, in regard the matter concerned their conſcience, did mutin, and could not be forced. The Emperour gave an account to the *Nuncio* of all theſe particulars, ſhewing not onely the conſent of the Catholiques, and of the greater number of the Proteſtants, but the limitation alſo propoſed by the others, leſt, if he had heard of it by ſome other meanes, it might have produced ſome bad effect. But he added, that he would not have this limitation put into the acts, becauſe thoſe Princes had given him their word, that they would do nothing againſt his will; and therefore hee might affirme to the Pope, that all *Germany* was contented with the Councell. Afterwards, he treated more ſtrictly with the principall Eccleſiaſtiques, propoſing that the beginning ſhould be before Eaſter, and that they would go thither in perſon. Which being promiſed by the Electors, he ſolicited the Pope to make the convocation for Eaſter, or immediatly after, becauſe he was aſſured of the conſent of all *Germany*. Which the better to confirme, he prayed his Holineſſe, that when the Bull was made, he would ſend him the draught, before it was publiſhed, that (ſhewing it to all in the Diet) he might, by that occaſion, make a Decree, and cauſe it to be received by all.

He propoſeth the proſecution of the Councell in the Diet of *Ausburg*, and other things.

Conditions required by the Proteſtants, concerning the Councell.

The Emperour haſteneth the convocation of the Councell, and deſireth to ſee the Bull before it be publiſhed.

The Pope thought that nothing was concluded of what was propoſed by him, ſo long as it was not decided, that the Decrees already made ſhould bee received. Hee would not, that, in the very beginning of the Councell, this ſhould bee diſputed of; becauſe the iſſue was plaine, that is, that much time would be ſpent, and nothing done, and in fine, all would bee diſſolved without concluſion. It was plaine to be ſeene, that the generall diſpute, whether

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ther they ought to be received, did draw after it a particular of every one, and that himſelfe ſhould not bee able to interpoſe, becauſe it would bee alledged that hee was to bee ſuſpected, as having beene preſident, and the principall authour. To inſiſt more with the Emperour that this point might bee decided, would give him more diſtaſt, and caſt all into inſuperable difficulties. He was counſelled, that, without ſaying any more, hee ſhould take the point for decided, and preſuppoſe in his *Bull*, that the Decrees already made ſhould be accepted by all. For the *Bull* going to the Diet with this tenor, Either the Dutchmen will be contented with it, and ſo he ſhall obtaine his purpoſe, or will not accept it, and ſo the diſpute will begin in the Diet, and himſelfe will bee free from care of it. The Councell ſeemed unto him good, in conformitie whereof he made the *Bull*. And to ſatisfie the Emperour in part, he ſent it to him, not in a draught, becauſe hee thought it was againſt his honour, but framed, dated, and ſealed; yet not publiſhed. The date was the fifteenth of November.

The Popes reſolution concerning the Decrees already made.

The *Bull* of the *Convocation* was dated the 15. of November.

In that *Bull* hee ſaid. That for the taking away of all differences of Religion in *Germany*, it being expedient an fit (which the Emperour had alſo ſignified unto him) to reduce the generall Councell into *Trent*, called by *Paul* the third, begun, ordered, and proſecuted by himſelfe, then Cardinall, and Preſident, and many Decrees of faith, and diſcipline, being conſtituted and publiſhed therein, hee unto whom it belongeth to call and direct generall Councels, for the encreaſe of the orthodoxe Religion, and to reſtore peace to *Germany*, which formerly hath not yeelded to any Province in obedience and reverence of the Popes, the Vicars of Christ, hoping alſo that the Kings and Princes will favour and aſsiſt it, exhorteth and admoniſheth the Patriarkes, Archbiſhops, Biſhops, Abbats, and others, who, by Law, cuſtome, or priviledge, ought to aſsiſt in Councels; to bee in *Trent*, the firſt of May; in which day he hath ordained, by his Apoſtolique authoritie, and conſent of the Cardinals, that the Councell ſhall be reaſſumed in the ſtate in which it was, and proſecuted; whither he will ſend his Legates, by whom he will preſide in the Synod, in caſe he cannot be perſonally preſent, notwithſtanding any tranſlation, ſuſpenſion, or any thing elſe, eſpecially thoſe things which *Paul* the third in his *Bull* of the *Convocation*, and others, belonging to the Councell, did ordaine that they ſhould not hinder; which *Buls* his will is that they ſhall remaine in force, with all their clauſes, and Decrees, confirming and renewing them, as much as is needfull.

The Councell is to begin the firſt of May.

The Emperours Miniſters, and other zealous Catholiques, to whom the Emperour did impart it, thought it would exaſperate the Proteſtants, and give them occaſion not to accept of the Councell, in which the Pope declared that hee would not onely preſide, but direct alſo. Beſides, to talke of reaſſuming and proſecuting it, was to put too many ſuſpicions into their heads; and to ſpeak ſo magnificently of his authoritie was nothing but to provoke them. They councelled the Emperour to endevour that the Pope ſhould moderate the *Bull*, and reduce it into ſuch a forme, as might not more alienate the Proteſtants. The Emperour treated thereof with the *Nuncio*, and wrote to his Ambaſſadour to do the like with the Pope, praying his Holineſſe affectionately, and effectually, and for Chriſtian charity, to make thoſe

The Emperour deſireth an alteration of the *Bull*.

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thoſe words more milde, which might divert *Germany* from accepting the Councell. The Ambaſſadour in *Rome* treated with a Spaniſh dexterity, and ſaid, That as wilde beaſts, taken in a ſnare, muſt be drawne gently, making ſhew to yeeld unto them, nor muſt bee ſhewed the fire, or armes, for feare of provoking them, and putting them in deſpaire, which will encreaſe their forces; ſo the Proteſtants muſt be uſed, who with gentleneſſe, and by inſtructing and hearing them, muſt be brought to the Councell, where being arrived, it will be a fit time to ſhew them the truth. That to condemne them before they were heard, was to exaſperate and provoke them more. The Pope anſwered, according to his uſuall liberty, that hee would not bee taught to fight with a Cat ſhut up; but would have it at liberty, that it might flie; that to bring the Proteſtants with faire words to the Councell, where the deeds would not bee anſwerable, was to put them in deſpaire, and make them take ſome raſh reſolution; and therefore what was to be done, was to be told them plainely. The Ambaſſadour anſwered, that it was true in things neceſſary, or fit to bee ſpoken; but he ſaw not how it was then fit to ſay, that it belongeth to him to direct Councels. That theſe things are moſt true; but truth hath not this priviledge to be ſpoken at all times, and in all places; and that it is good to conceale it, when the uttering of it doth produce a bad effect. That he ſhould remember, that, by the hot ſpeeches of *Leo* the tenth, and his Legate Cardinall *Cajetan*, the fire was kindled that now burneth, which, with a gentle word, might have beene put out. That the Popes following, eſpecially *Clement* and *Paul*, wiſe Princes, did often complaine of it. If *Germany* may now bee gained with dextrous uſage, why ſhould it be more ſeparated with bitterneſſe?

The Popes anſwer.

The Pope, as it were diſdaining, ſaid, That it was to be preached openly, and inculcated, which Christ hath taught, that his divine Majeſtie hath made his *Vicar Head* of the Church, and the principall light of the world: that this is one of the truths that muſt bee ſpoken in all times, and places, and (as Saint *Paul* ſaith) *in ſeaſon and out of ſeaſon*: That to do otherwiſe would bee againſt the Commandement of Christ, *hiding the Candle under a buſhell, which ſhould bee ſet on a Candleſtick.* That it was not honourable for the Apoſtolike Sea to uſe artifice and diſſimulation, but that hee ought to ſpeak plainely.

The Ambaſſadour, by way of a pleaſant diſcourſe, ſaid, That to hide the rod, and to make ſhew of benignitie, and to yeeld unto all, ſeemed unto him the true Apoſtolike office; that he had heard it read in S. *Paul*, that being *free, hee made himſelfe ſervant of all, to gaine all*; with the *Jewes*, a *Iew*, with the *Gentiles*, a *Gentile*; with the *weak, weak, to winne them alſo*: and that this was the way to plant the Goſpell. In fine the Pope, not to enter into diſpute, ſaid, that the *Bull* was made according to the ſtile of the Chancery, which could not bee altered; that hee was adverſe from novities, and muſt follow the ſteps of his Predeceſſors; that obſerving the uſuall forme, whatſoever ſhould happen could not bee attributed to him, but if he had invented a new, all the miſchiefe would be laid to his charge. The Ambaſſadour, to give him time to bethinke himſelfe better, concludeth that hee would not take the anſwer for a Negative, but hoping that his Holineſſe would take compaſſion on *Ger-*

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manie, with a fatherly affection, purposing to let Christmas bee past, for then it was the midst of December, and then to make a new assault upon him. 1550

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But the Pope, resolute not to change one jot, said often, I will prevent, and not bee prevented; and to take away all trouble of discourse on Saint *Iohns* day hee made a Briefe, in which having summarily declared the contents of his foresaid Bull, pretending that some, because it was not published, might alledge ignorance; hee ordained that both the Briefe, and the Bull should bee read, published, and affixed on the Churches of Saint *Peter* and Saint *Iohn* of *Lateran*, with intention to send a Copie thereof printed to the Archbishops, that by them it might be intimated to the Bishops, and other Prelates. All meanes was taken from the Ambassadour to speak any more thereof with the Pope, and therefore hee presently dispatched an expresse Currier, to signifie all to the Emperour. Who seeing the Popes resolution, and thinking on a remedie, caused the Bull to bee read in the publike assemblie, which produced just the same effect which hee foresaw, that is, that the Protestants would recall their word to submit themselves, and the Catholikes refuse to go to the Councell. It pleased the Catholikes by reason of the harsh and intractable stile: the Protestants, for the causes aforesaid; which were, that it belongeth to the Pope, not onely to call, but also to direct, and governe the Councels; that hee was resolved to continue and prosecute the things begun, which took away the reexamination of what was already handled; that unseasonably, and without occasion, hee had said, that *Germany* had acknowledged the Popes for Vicars of CHRIST; that hee had declared himselfe president of the Councell, and had called none but Ecclesiasticks, and with many affected words, had confirmed the Bull of the Convocation of *Paul*. They said that the Councell, with these grounds, would be in vaine, whereunto to submit ones selfe, was to sinne against GOD, and his conscience. The Catholikes said, that if there were no hope to reduce the Protestants, the labour and charge would bee idle. The Emperour gave a temper to both parties, saying, that the Councell was generall of all Christian Nations, all which obeying the Pope but *Germany*, hee had framed the Convocation as it did agree unto them; that for *Germany*, they should leave all to his care, who knew how to handle the businesse; that they should suffer other Nations to meete, and that himselfe would go in person, if not thither, yet to some neare place, and would take order, not by words, but deeds, that all should passe with good termes; that they should not regard what the Pope said, but what himselfe did promise upon the word of an Emperour and a King. So hee pacified their minds; and the 13. of February a resolution was made, and a Decree published; the tenour whereof, was:

The Pope maketh a Briefe, and causeth both it, and the Bull to be published:

Which giveth distast both to Papist and Protestant in *Germany*.

Who are pacified by the Emperour.

That it being proposed in the former Diet, that there is no meanes to compose the discords of *Germany*, in cause of Religion, but by a pious and generall Councell, all the states of the Empire have confirmed the proposition, and resolved to accept and approve the same Synod, and submit themselves to it; which having not been executed as yet, the same proposition and determination hath beene made, in the present Diet. For the Emperour having laboured, and finally obtained of the Pope, that the Councell should be remitted to *Trent*,

And therefore a Decree in the Diet is made to this effect.

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Trent, the firſt of May, the next yeare, and his Holineſſe having done it and the *Convocation* having beene read, and propoſed in the Diet, it is fit they ſhould continue in the ſame reſolution to expect the Councell, with due obedience, and to go to it, in which all Chriſtian Princes will aſsiſt, and the Emperour himſelfe, as advocate to the holy Church, and defender of the Councels, will do what belongeth to his charge, as hee hath promiſed. Who therefore giveth notice unto all, that his will is, that every one who goeth to the Councell, ſhall be ſecured by the Imperiall authority and power, to go, remaine, returne, and propoſe freely what he ſhall think in his conſcience to be neceſſary. And therefore that he will lodge in the Confines of the Empire, in the neareſt place he can. And he admoniſheth the Electors Princes, and States of the Empire, eſpecially the *Eccleſiaſtiques*, and thoſe who have made innovation in Religion, that they prepare to be there, well inſtructed, that they may be inexcuſable, himſelfe taking care that all ſhall paſſe lawfully, and in order, and that every thing be handled piouſly and Chriſtianly, according to the holy Scripture, and doctrine of the Fathers. And for the tranſgreſsion of the Decrees of the *Inter-Religion*, and *Reformation*, being aſſured, that it was impoſsible to overcome the difficulties, and that as one laboured the more, ſo things grew worſe, to the end that greater confuſion may not ariſe, hee calleth unto him the cognition of the tranſgreſsions paſt, yet enjoyning the Princes, and orders of the Empire, to obſervance hereafter.

Which ſeemeth to bee a counterpoiſe to the Popes Bull.

The world ſeeing this Decree, thought it, as it was, a juſt counterpoiſe of the Popes Bull, in all parts. The one will direct Councels, the other will take care that all bee done in order, and juridically; the one will preſide, and the other will have the deciſion according to the Scripture and the Fathers; the one will continuate, and the other will have power given to every one to propoſe, according to his conſcience. In ſumme, the Court could not digeſt this affront, and complained that it was another *Convocation* of the Councell. But the Pope, according to his uſuall pleaſantneſſe, ſaid, the Emperour hath beene even with me, for the publication of the Bull, made without him.

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The Preſidents of the Councell are named.

The yeare 1551. being begun, the Pope, applying himſelfe to the Councell intimated, had two principall aymes; to ſend truſtie perſons to preſide, and to bee at as little charge as was poſsible. To avoid charge, he thought to ſend but one Legate, but that was too great a burthen for one, becauſe there would bee none who had the ſame intereſts, on whom hee might ſafely relie, and becauſe hee ſhould bee eſteemed the onely authour of whatſoever was done. For which reſpects it was neceſſary to lay the burthen on more mens ſhoulders. The Pope found a middle way, to ſend one Legate, and two *Nuncii*, with equall authoritie, thinking that ſo hee ſhould bee better ſerved, becauſe hope maketh men more diligent. Caſting his eye on all the Cardinals, hee found none more truſtie, and withall more worthy then *Marcellus Creſcentius*, Cardinall of S. *Marcellus*; to whom hee joyned for *Nuncii*, *Sabaſtianus Pighinus*, Archbiſhop of *Siponto*, and *Aloiſius Lipomannus* Biſhop of *Verona*: of the former hee made choyce, for the great confidence hee had

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in him before his Papacie; of the other, for the forme of his great pietie, goodneſſe, and loyalty. Having had many ſecret parlies with theſe three, and opened unto them the ſincerity of his heart, and inſtructed them fully, hee gave them an ample *Mandate*, to be preſent in the Councell, in his name; the tenour whereof was,

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The tenour of their Mandat.

It belongeth to the father of a family, to ſubſtitute others, to do that which he cannot commodiouſly do himſelfe. Therefore, having reduced to *Trent* the generall Councell, intimated by *Paul*, hoping that the Kings and Princes, would afford their favour and aſſiſtance, he cited the Prelates who uſually have voyce therein, to be there the firſt of May, to reſume the Councell in the ſtate it was. But not being able to be perſonally preſent, according to his deſire, in reſpect of his old age, and other impediments, that his abſence might not bee an hinderance, hee appointeth *Marcellus*, a zealous, Wiſe, and learned Cardinall for Legate, and the Biſhops of *Siponto*, and *Verona*, famous for knowledge and experience, as *Nuncii*, with ſpeciall *Mandate*, and fit clauſes: Sending them as Angels of peace, giving them authority to reſume, direct and proſecute the Councell, and to do all things meet and neceſſary, according to the tenour of his, and his predeceſſours letters of the Convocation. The Emperour, whom the Councell did more concerne, holding it to be the only means, to make himſelfe abſolute Maſter of *Germany*, ſent a ſafe conduct in an ample forme, to all the Proteſtant Orders of that Empire, for themſelves, their Ambaſſadours, and Divines.

The Emperor giveth a ſafe conduct to the Proteſtants.

But while theſe foundations were laid in *Rome* and *Ausburg*, to build the Councell of *Trent* upon them, webs were ſpun in other places, which obſcured the dignitie and authority of that Synod, and Engines were framed which did ſhake and diſſolve it. The Pope immediatly after his aſſumption, to performe what hee had promiſed in the Conclave, reſtored *Parma* to *Octavius Farneſe*, which the Pope had taken into his hands, in the name of the Church, and aſsigned to him two thouſand crownes a moneth to defend it. *Octavius* in regard of the enmitie of *Ferrante Conzaga*, Vice-Duke of *Milan*, and of many arguments which hee had, that the Emperour meant to bee Lord of that Citie, the Pope alſo having taken from him the proviſion of two thouſand crownes, doubting that hee was not able to defend it with his owne forces, treated with the Pope, by his brother the Cardinall, either to aſsiſt him, or give him leave to provide for himſelfe, by the protection of ſome other Prince, able to maintaine him againſt the Emperour. The Pope, without thinking more of it, anſwered, that hee ſhould do for himſelfe the beſt hee could, wherefore *Octavius* by meanes of *Horatius*, his brother, ſonne in law to the French King, put himſelfe under the protection of *France*, and received a French Garriſon into the Citie. This diſpleaſed the Emperour his Uncle, who perſwaded the Pope, that it was againſt his honour, who was ſupreme Lord of that Citie and Duke. Therefore the Pope publiſhed a ſevere Edict againſt him, cyting him to *Rome*, and declaring him traytor, if he did not appeare, and demanding the Emperours aſsiſtance againſt him; who declared that hee did approve the Popes cauſe, and would defend it with his armes. This was a beginning of a manifeſt warre,

The Pope reſtoreth *Parma* to *Octavius Farneſe*.

Who receiveth a French Garriſon into the Citie.

Which occaſioneth a war betweene the Emperour & the French K.

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warre betweene the Emperour and the French King, and of great diſtaſts of this King againſt the Pope. And in *Saxonie*, upon the River *Albi*, diſcourſes began, betweene the *Saxons* and thoſe of *Brandeburg*, to make a league againſt the Emperour, that hee might not wholly ſubdue *Germany*, as ſhall be ſaid in its place. Notwithſtanding theſe ſeeds of warre, which in *Italy*, in the beginning of Aprill, began to ſpring, the Pope would have the Legate and *Nuncii* go to *Trent*, and gave them commiſsion to open the Councell, on the firſt of May, the day appointed, with thoſe who were there, yea though there were none at all; by the example of the *Nuncii* of *Martinus* the fifth, who opened the Councell of *Pavia* alone, without the preſence of any Prelate.

A confederation is made in *Germany* againſt the Emperour.

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THE FOURTH BOOK OF THE HISTORY OF THE COUNCELL OF TRENT.

HE Legat and *Nuncii* being come to *Trent*, accompanied with ſome Prelats, who followed them from *Rome*, and ſome other being arrived, who, having beene ſollicited by the Pope, came thither a little after; they aſſembled, the foreſaid day, with the wonted Ceremonies, in the uſuall place, played, within the Cathedral Church, which was not pulled downe, where the Archbiſhop of *Torre* ſang Maſſe, and the Secretary read the Popes Bull of the Convocation, and the *Mandate* of the Preſidents; and he that ſaid Maſſe, read the Decree interrogatorily. Pleaſeth it the Fathers, that, according to the Popes letters, the Councell of *Trent* ſhould be reſumed, and proſecuted? And all having given their voyces, he ſaid againe; Pleaſe it you, that the next Seſsion be held the firſt of September next? Whereunto all agreed. And the Cardinall, Prime Preſident, concluded, by the conſent, and in the name of all the Synod, that the Councell is begun, and ſhall be proſecuted. Nothing elſe was done that day, nor the next, though the Prelats were often aſſembled in the Legats houſe; becauſe the Congregations had no forme, there being no Divines. Onely the things diſputed in *Bolonia* were read, to make the deliberation of that which was to be handled more mature, eſpecially in matter of reformation, which was eſteemed to bee of the greateſt moment.

The Preſidents of the Councell and ſome Prelates arrive in *Trent*

The next Seſsion is appointed for the firſt of September.

In the end of the moneth the Pope ſent *Jeronymus Francus* to the Suiſſes, who before had beene the *Nuncio* of Pope *Paul* to that nation, principally to provide that the French King might not have Souldiers from them; and to obtaine of them a levie, the affaires of *Parma*. And upon that occaſion, hee wrote unto them the ſeven and twentieth of May, that as hee had taken the name of *Julius* the ſecond, ſo affectionate to them, ſo hee would follow his example in loving them, and uſing their aſsiſtance

The Pope ſendeth a *Nuncio* to the Suiſſes.

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which hee had begun to do by taking a guard of their Nation, for the safety of his owne person, and another for *Bolonia*. Now the Councell being intimated, and begun in *Trent*, the first of May, hee prayed them to send their Prelates against the first of September when the second Session shall bee held.

The French King excuseth to the Pope his protection of *Parma*.

The French King sought to perswade the Pope, by Termes, his Ambassadour, that hee had, upon good reasons, taken upon him the defence of *Parma*, praying him to bee contented with it; and to shew him, that, doing otherwise, and preferring warre before peace, he should not onely damnifie *Italy*, but hinder the prosecution of the Councell, or cause it to dissolve. And that, though this did not fall out, yet, in regard no French Bishop could go thither, it could not with reason bee called a generall Councell. The Pope offered to do any thing else which the King should desire; and after many discourses, it being represented to him that the King could by no meanes retire, and that, in case his Holinesse would not bee neutrall, but make himselfe the Emperours minister, by whom the King was certaine that hee was guided, his Majestie would bee forced to use those remedies of reason and fact, which his ancestors have used against partiall Popes: the Pope grew angry, or fained to be so, and answered, that if the King took *Parma* from him, hee would take *France* from the King; and if the King did take from him his obedience, hee would take from the King the commerce of all Christendome; and if hee spake of force, let him do the worst he could; if of Edicts, and prohibitions, and such things, hee'l let him know, that his pen, paper, and inke were not inferiour. But though the Pope spake so high, yet he was affraid; and therefore, to excite the Emperour, he signified unto him, by his *Nuncio*, the Bishop of *Imola*, whom hee had sent in place of the Archbishop of *Siponto*, all these discourses with the French, and afterwards told him, that in *Rome* there was doubt of another sack, in regard of so many rumours of the Turkes, and Frenchmen, and feare of Nationall Councels. Therefore there was need of Armes, to prevent these attempts, and to defend themselves, when need required.

His Holinesse is angry.

The French king maketh preparation for a Nationall Councel: from which, and from the protection of *Parma*, he is dissuaded by the Pope.

The King seeing it was impossible to perswade the Pope, wrote a publike letter to all the Bishops of his Kingdome, as well in *France*, as elsewhere, commanding them to bee at their Churches within six moneths, and to put themselves in order there for a Nationall Councell; and the letter was presented to those also who were in *Rome*; neither durst the Pope hinder them, for feare of doing them, and his owne reputation more hurt. But he sent *Ascanius della Corna*, his nephew, into *France*, to dissuade the King from the protection of *Parma*: to make him understand that *Octavius Farnese*, being his Vassall, he should by no meanes endure to be contemned by him, in regard it would be an eternall infamie, and an example to others not to acknowledge him for Pope. That his inclination to *France* and his Majestie was great, and his minde averse from those who were emulous of him, and that this is knowne to the whole world. Yet the foresaid respect is so potent, that, if his Majestie would not give a remedy, it were enough to make him cast himselfe into the armes of him that hee would not. His instruction also was,

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that if the King would not be perſwaded to this, he ſhould pray him to conſider well how great inconveniences a Nationall Councell would draw after it, and that it would be a beginning to give his Subjects licence, whereof hee would repent him, and would preſently cauſe this bad effect to hinder the generall Councell, which would bee the greateſt offence could be done to God, and the greateſt damage to faith, and the Church. Hee prayed him to ſend an Ambaſſadour to *Trent*, aſſuring him hee ſhould receive all honour and reſpect from the Preſidents, and all the Prelats who were his Holineſſe friends. Wherunto if hee did not condeſcend, but perſevere in maintaining the Edict, hee ſhould, for taking away all ſcandall, propoſe to him a temper, to declare, that his meaning was not to hinder the generall Councell by that Edict.

But hee continueth firme in his reſolution.

The King hearing the Ambaſſage, ſhewed alſo that his honour did conſtraine him to continue the protection of the Duke, and to maintaine the Edict, but with ſuch words, as made it plaine hee was diſpleaſed with the diſtaſts given him, and that he had a deſire to right himſelfe. And to anſwer the Pope, he ſent the Lord of *Monluc*, the *Elect* of *Bourdeaux*, to him, not without ſome hope to pacifie the Popes minde. But do he what he could, he continued in the ſame rigidneſſe concerning the affaires of *Parma*, and ſent the ſame *Monluc* back, with commiſſion to complaine of the King, that he had ſent the Edict of the Nationall Councell, and letters, to the Prelates who were ſubjects to his Holineſſe, even in temporalities (underſtanding the Biſhop of *Avignion*) as farre as to *Rome*, which all the world did interpret to be done onely to hinder the generall Councell. And, in concluſion, he prayed the King, that ſeeing they were both reſolute, himſelfe to correct *Octavius*, and his Majeſtie to protect him, at the leaſt their differences might be contained within *Parma*, though his Majeſtie had already proceeded further, by taking the Cardinals and Prelates from *Rome*; whoſe departure he would not hinder, hoping that his Majeſtie, having exhaled his anger, ſhould bee illuminated by God, to change his manner of proceeding. Neither theſe mutuall offices, nor the reſpect of the Councell, could make either of theſe Princes remit any thing of their rigor. The generall conſent was favourable to the King. For the Emperour having ſeized on *Piacenza*, to leave *Parma* to him alſo, was to give all *Italy* into his hands; and it ſeemed an indignity, that the poſterity of *Paul*, who had ſo laboured for the liberty of *Italy*, ſhould be abandoned by all: and if the Pope did not complaine that *Piacenza* was uſurped, nor made any inſtance for the reſtitution, why ſhould hee complaine that the Duke ſhould ſecure himſelfe of *Parma*. And this reaſon prevailed ſo much with ſome, that they aſſured themſelves it was well underſtood by *Julius*; but that, to make ſome thing ariſe which might hinder the Councell, which not proceeding from him, might bee aſcribed to another, hee deſired a warre betweene the King and the Emperour. It is certaine that he laboured more with the Emperour to move armes againſt *Parma*, or *Mirandula*, then with the King to accommodate the buſineſſe. The King having tried all meanes to pacifie the Popes minde, paſſed to the extreme, which was to proteſt by his Ambaſſadour *Termes*, and particularly againſt the Councell which was aſſembled, hoping that reſpect would remove the Pope: the contents of

And proteſteth againſt the Councell, then aſſembled in *Trent*.

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which proteſtation, becauſe it was reiterated in *Trent*, ſhall bee related upon that occaſion.

The Proteſtant Princes reſolve to ſend to *Trent*,

But in *Germany* there was more ſpeech of the Councel then ever. For *Maurice*, Duke of *Saxony*, ſeeing the Emperours reſolution, to give him a ſure argument that he would obey him, in ſending to *Trent*, commanded *Philip Melancthon*, and ſome others of his Divines, to put together the points of doctrine, to bee propoſed in the Councell, and to aſſemble in *Lipſia* all the Doctors and Miniſters of his State to examine them. And *Chriſtopher*, Duke of *Wittenberg*, who, a little before, ſucceeded his father, cauſed another compoſition to bee made by his people, which was the ſame thing in ſubſtance; and the one part did approve that of the other; yet did chooſe not to proceed joyntly, that the Emperour might not ſuſpect. Afterwards Duke *Maurice* wrote to the Emperour, giving him an account of his being in order with his divines, and of the writing which he had prepared; but added, that his *Safe Conduct* ſeemed not ſufficient. For in the Councell of *Conſtance* it was determined, that they might proceed againſt thoſe that came to the Councell, though they had *Safe Conduct* from the Emperor; and the Decree was approved by the death of *Iohn Huſſe*, who went to the Councell under the publike faith of *Sigiſmond*. That therefore hee could not ſend any to *Trent*, if thoſe of the Councell did not give *Safe Conduct*, as was done in that of *Baſil*, whither the Bohemians, for the example of *Conſtance*, would not go; but under the publique faith of the whole Councell. Therefore hee prayed the Emperour to procure for them a *Safe Conduct* from the Eccleſiaſtiques of *Trent*, in that forme as thoſe of *Baſil* did grant it to the Bohemians, becauſe they were juſt in the ſame condition now, as the Bohemians were then. *Ceſar* promiſed to do it, and gave order to his Ambaſſadours, whom he then diſpatched to the Councell, to procure it.

And require a *Safe Conduct* from the Councell;

Which the Emperour promiſeth to procure;

The Ambaſſage conſiſted of three perſons, to honour the Councell, and to have many miniſters to treat: and this colour was for the number, that one was for the Empire, another for *Spaine*, and the third for his other States, and yet all *in ſolidum* for all. The *Mandate* was ſigned the ſixt of July: and conteined that Pope *Iulius*, to appeaſe the controverſies of Religion in *Germany*, having recalled to *Trent*, the firſt of May paſt, the Councell called by *Paul*, began, and intermitted, himſelfe, by reaſon of his indiſpoſition, not being able to bee there in perſon, hee hath ſent (not to faile of his dutie) his Proctors thither. Therefore truſting upon the faith, honeſty, experience, and zeale of *Hugh, Count of Mountfort*, *Don Pedro di Toledo*, and *William*, Archdeacon of *Campania* hee maketh them his *Orators*, and *Mandataries* for his Imperiall dignitie, Kingdomes, and hereditarie States, giving them, and each of them faculty, to appeare in the Councell, to hold his place, conſult, treat, give counſell and voyce, to decree in his name, and do every thing elſe which himſelfe could do if hee were preſent: putting them in place of his perſon, and promiſing to ratifie whatſoever ſhall bee done by them three, or by any one of them. The Pope, though hee much deſired the Councell ſhould bee opened, yet after it began, hee took no thought that the Prelates ſhould go thither; either becauſe he was intent upon the warre, which was on fire at *Mirandula*, or becauſe hee cared but little for it. All the

Who ſendeth three Ambaſſadours to the Councell.

The contents of their *Mandate*.

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paines was taken by the Emperour, who thruſt forward, firſt, the Electours of *Mentz*, and *Triers*, and afterwards of *Cullen*, together with five other principall Biſhops, and the Proctors of many who were hindered. He cauſed alſo ſome Prelats to come out of *Spaine*, beſides thoſe who had entertained themſelves in *Trent*, and *Italy*, untill then, and out of his States in *Italy*; beſides which there were but few: ſo that, for eight moneths that the Councell laſted, the Preſidents and Princes being reckoned, the number did not exceed ſixty foure.

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The Eccleſiaſtical Electors goe to *Trent*.

The number of the Prelats in the Councell.

The firſt of September, the day appointed for the Seſsion, being come, they went to the Church with the uſuall ceremonies. The order of precedence was thus. Firſt the Cardinall Legate, then the Cardinall *Madruccio*, the two *Nuncii*, the two Electours, (that of *Collen* being not come) two of the Emperours Ambaſſadours (the Arch-deacon being not yet arrived) the Ambaſſadour of the King of the Romanes, and then the Arch-biſhops. The Maſſe being ſung, and the Eccleſiaſticall ceremonies ended, the Secretary read an exhortation to the Fathers of the Councell, in the name of the Preſidents, to this purpoſe: That, by the preſence of the two Electours, being entred into hope, that many Biſhops, of that and other Nations, will aſsiſt in the Councell, they thought fit, in the meane time, in regard of the Place they bare, to give a little admonition to themſelves, and them, (though they ſaw all were ready to do the office of good Paſtours) becauſe the matters to bee handled were of great moment; that is, to extirpate hereſies, to reforme Eccleſiaſticall diſcipline, from the corruption whereof hereſies have riſen, and finally, to pacifie the diſcords of Princes. That the beginning of the exhortation, ought to be taken from the knowledge of their owne inſufficiencie, flying to the aſsiſtance of GOD, who will not faile them: whereof they ſee many arguments already, but eſpecially the comming of the two Princes. That the authority of Generall Councels, was alwayes very great, the holy Ghoſt preſiding in them, and their Decrees eſteemed not humane, but divine. That an example hereof hath beene left by the Apoſtles, and the Fathers following, ſeeing that, by Councels, all heretiques have beene condemned, the life and manners of Prieſts and people reformed, and the diſcords of the Church appeaſed. Therefore being now aſſembled to do as much, they muſt awaken themſelves, that they may regaine the ſheep that lept out of the Lords fold, and keepe thoſe which have not gone aſtray as yet. Wherein the ſalvation of thoſe onely is not in queſtion, but their owne too, in regard they muſt give an account to GOD, by whom, if they performe their duty, they ſhall be rewarded, and all poſterity will attribute great praiſe to that Councell; but they ſhould not aime at that, but onely at their owne duty, and charity towards the Church, which being afflicted, wounded, and deprived of ſo many deare children, lifteth up her hands to GOD, and them, to reſtore them to her. That therefore they would handle the matters of the Councell with all gentleneſſe, and without contention, as becommeth ſo great an aſſembly, uſing perfit charity, and conſent of minds, knowing that GOD doth behold and judge them.

The ſecond Seſsion is held.

In which the Legats make a long exhortation to the Fathers.

The exhortation being ended, the Decree was read by the Biſhop that ſaid Maſſe; the ſubſtance whereof was; That the holy Synod, which, in

The Decree of the Seſsion is read.

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the Seſsion paſt, did determine to proceed in this, having deferred to doe it untill now, by reaſon of the abſence of the Germane Nation, and the ſmall number of the Fathers, rejoycing for the arrivall of the two Prince Electors, hoping that many more of that and other Nations, will, by their example, haſten their comming, doth deferre the Seſsion for fourty dayes, that is, untill the eleventh of October, and proſecuting the Councell in the ſtate in which it is, having treated already of the ſeven Sacraments, of Baptiſme, and Confirmation, doth ordaine to treat of the Euchariſt; and, for reformation, to handle thoſe things which doe facilitate reſidencie. Then the Emperours Proxie being read, the Earle of *Mountfort* ſaid, that the Emperour, after he had obtained the reduction of the Councell to *Trent*, never ceaſed to labour that the Prelates of his States ſhould go thither, which the preſence of the Electours, and the frequencie of the Fathers doth demonſtrate. And to teſtifie his minde the more, he hath ſent *Don Pedro* of the Kingdome of *Spaine*, another of his patrimoniall States, and himſelfe of *Germany*, though unworthy, praying to bee received for ſuch. *John Baptiſta Caſtello*, the Speaker, anſwered, in the name of the Councell, that they were glad to hear the Emperours *Mandate*, having by it, and the quality of the Proctours, conceived how much they may promiſe themſelves; therefore that it hopeth for aſsiſtance from them, and doth, as much as it can, admit the Emperours *Mandate*. Likewiſe the Proxie of the King of the Romanes, in the perſon of *Paulus Gregorianus*, Biſhop of *Zagabria*, and of *Frederick Nauſea*, Biſhop of *Vienna*, was read, and this ſecond did ſpeak, and was anſwered as thoſe of the Emperour.

The Abbat of *Belloſana* preſenteth the French Kings letters, the inſcriptiō wherof giveth diſtaſte to the Synod.

After this *Jacobus Amiotus*, Abbat of *Belloſana*, appeared in the name of the French King, with letters of his Majeſty, which he preſented to the Legate, deſiring they might bee read, and his credencie heard. The Legate receiving them, gave them to the Secretary, to bee read. The ſuperſcription was, *Sanctiſsimis in Chriſto Patribus Conventus Tridentini*. The Biſhop of *Orange*, and after him, the other Spaniards ſaid aloud, that thoſe letters were not ſent unto them, who were a generall Councell, and not a Convent, and therefore that they ought neither to bee read, nor opened in publike Seſsion, but, if the Meſſenger had ought to ſay, hee ſhould goe home. Much was ſpoken concerning the ſignification of the word, *Conventus*, the Spaniards perſiſting that it was injurious. So that the Biſhop of *Mentz* was forced to ſay, that if they would not receive a letter from the King of *France*, who called them *Sanctiſsimus Conventus*, how would they hearken to the Proteſtants, who called them *Conventus Malignantium*? But the Spaniſh Prelats continuing ſtill to be more tumultuous then the reſt, the Legate, with the *Nuncii*, and the Emperours Ambaſſadours, retired into the Veſtry, and had a long diſputation hereof. At the laſt, returning to their place, they made it bee told to the Speaker, that the Synode doth reſolve to read the letters without prejudice, thinking that the word *Conventus*, is not meant in an ill ſenſe; and, if it be, doth proteſt of the *Nullitie*. Then the Kings letter was opened, and read, which was dated the 13. of Auguſt, and ſaid in ſubſtance; That it ſemed agreeable to the obſervance which his anceſtors have alwaies uſed towards the Church, to ſignifie to them the cauſes why he hath bin forced not to ſend any Biſhop

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ſhop to the convent, called by *Julius* by the name of a publike Councel, being aſſured that they the fathers will not condemne any mans fact before they know it, and that when they ſhal underſtand what he hath done, they will commend it. That he was compelled, for preſervation of his honour, to continue in his reſolution to protect the Duke of *Parma*; from which hee would not refuſe to depart, if Juſtice and Equity did permit. That hee writeth to them as to *Honourable Judges*, praying them to receive the letters, not as from an adverſary, or a perſon unknowne, but as from the Prince and principall ſonne of the Church, by inheritance, of his Anceſtors, whom hee promiſeth alwayes to imitate; and, while hee defendeth himſelfe from wrongs, not to lay aſide his charity towards the Church, but ever to receive whatſoever ſhall be conſtituted by her, ſo that due order be obſerved in making the Decrees. The letters being recited, the Abbat read a Proteſtation, containing a narration of a Proteſtation, made by Termes in *Rome*, ſaying, That the King, after he had taken upon him the defence of *Parma*, ſeeing that thoſe laudable things which hee had done were reprehended, uſed great care that *Paul* Termes, his Ambaſſador, ſhould give an account of all to the Pope, and Colledge of Cardinals, to take from them all ſiniſter opinion, ſhewing that the taking of the Duke into his protection, was the effect of a pious, humane, and kingly minde, wherein there was no cunning or private gaine, but reſpect onely of the Church; as appeared by the propoſitions of accord, which aymed at nothing but that the Church might not bee robbed, and *Italy* preſerved in peace and libertie. And if the Pope thought this a cauſe to put all *Europe* into warre, hee was ſorry; but it could not bee imputed to him, having not onely accepted, but offered alſo all honeſt and fit conditions. Neither could the diſſolution of the Councell aſſembled bee preſcribed to him, praying the Pope to conſider what miſchiefes would accompany the warre, and to prevent them with peace. Which if his Holineſſe will not regard, but deſire rather to ſet *Europe* on fire, and hinder the Councell, giving ſuſpicion that it was called not for the good of the Church, but for private intereſts, excluding from it a moſt Chriſtian King, hee could not chuſe but to proteſt to him and the Colledge, that hee could not ſend his Biſhops to *Trent*, where the acceſſe is not free and ſecure, and that hee could not eſteeme that a generall Councell, but private, from which he was excluded; neither could the people or Prelates of *France* be obliged to the Decrees of it. Afterwards he proteſted that hee would come to the remedies uſed by his Anceſtors in like occurrences; not to take away his due obſervance from the Apoſtolique Sea, but to reſerve it for better times, when armes ſhall be laid downe, which are diſhoneſtly taken up againſt him; deſiring of his Holineſſe, that this proteſtation might be regiſtred, and giving him a copie of it to peruſe. Theſe things having been already proteſted in *Rome*, he deſired ſhould be likewiſe proteſted in *Trent*, with the ſame inſtance, that they might be regiſtred in the Acts of that Aſſembly, and that there being a publike inſtrument made of it, he might uſe it in time and place.

The contents of them.

The Abbat readeth a proteſtation.

When the Proteſtation was read, the Speaker, having talked with the Preſident, anſwered in ſubſtance; That the Kings modeſty in his letters was gratefull to the Synode; that it doth not accept the perſon of the Abbat, but

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as it is lawfull, that it warneth him to be in the ſame place the eleventh of October, to receive the anſwer which ſhall be made to the Kings letters; and forbiddeth the *Nuncii* to make an inſtrument of the preſent action, but joyntly with the Secretary of the Councell. And nothing elſe being to bee done, the Seſsion was ended. Then the Abbat demanded an inſtrument of the action, but could not obtaine it.

The cenſure of this Proteſtation.

When Termes had proteſted in *Rome*, though many did not know of the act, yet it was beleeved that the Pope would deferre the Councell, becauſe it muſt needs bring forth new diviſions, if ſuch a principall Nation did reſiſt. But he deceived the world, not for any deſire hee had to celebrate it, but for that he would not ſeeme to be cauſe of the diſſolution; being reſolved, that if it were ſeparated without him, he would anſwer, with an open mouth, to whoſoever ſhould deſire it againe, that he had done his part, and would do no more. But the Proteſtation made in *Trent*, a place ſo conſpicuous, was preſently publiſhed every where, and gave matter of diſcourſe. The *Imperialiſts* eſteemed it a vanity, ſaying, That the act of the major part of the univerſality, is ever eſteemed lawfull, when the leſſer, being called, either cannot or will not bee preſent: that all are called to the Councell, and the Frenchmen alſo might have come without paſsing by the Popes territories; but in caſe they could not, yet their abſence doth not derogate from the Councell, becauſe they are not neglected, but invited. It was ſaid to the contrary, that to call in words, and to exclude in deeds, was not to invite, and, for the Popes territories, one might go from *France* to *Trent* without paſsing by them, but not without paſsing by thoſe of the Emperour; and the major part hath full authoritie, when the leſſer cannot appeare and is ſilent, becauſe it is preſuppoſed to conſent, and when it will not appeare, becauſe it is accounted contumacious, but when it doth proteſt, it hath its place, and eſpecially, if the impediment proceed from him that calleth the action, in abſence, cannot be of force.

The Decrees of Councels do not binde the Churches abſent.

And the Counſellors of the Parliament of *Paris*, ſaid ſome thing more; That it is true, that the authority of the whole univerſalitie is transferred into the major part, when the cauſe is common to all, and nothing belongeth to particular men: but when the whole belongeth to all, and every one hath his part, the aſſent of every one is neceſſary, *Et prohibentis conditio potior*; and the abſent, not giving their voyces, are not bound. Of this ſort are Eccleſiaſticall aſſemblies, and bee the Councell as populous as it will, the abſent Churches are not bound if they thinke fit not to receive it. This hath alwayes beene uſed in ancient times, that the Councels being ended, the Decrees ſhould be ſent, to be confirmed, to the Churches that were abſent, in which otherwiſe they had no force; which every one that readeth *Hilarius*, *Athanaſius*, *Theodoretus*, and *Victorinus*, who handle this particular, may ſee plainly. And it hapned ſometimes, that ſome part of the Canons were received by ſome Church, and ſome left out, as every one thought fit, for their neceſsities, manners and uſes. And Saint *Gregorie* himſelfe doth witneſſe, that the Church of *Rome* did not receive the Canons of the ſecond Councell of *Conſtantinople*, nor of the firſt of *Epheſus*.

Wiſe[illegible], not conſidering the ſubtilties, ſaid, that the King had given that Councell

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Councell an uncurable wound. For it having no other ground then Christian charity, and the assistance of the holy Ghost, it would never bee beleeved that these were present in an assembly, against which a most Christian King, persecuter of all Sects, with the adherence of a Kingdome, not blemished in Religion, did protest in that forme. And they brought an experience for proofe. For they said, that the Presidents retyring to consult with the Emperours Ambassadours, did shew who guided the Councell. And which was of more importance, when these five had consulted, and imparted nothing to any body else, the Speaker said, The holy Synod doth receive the letters. And what was that holy Synod? And likewise the Abbats exposition being read, the answer, resolved on by the Presidents onely, was given in the same name. Neither can the difficulty bee removed, by saying, that the matter was of no great importance; first, because it will bee hard to maintaine, that it is not a most important matter, where the danger of division in the Church is in question; then, bee it as it will, no man can arrogate to himselfe power, to declare what is of importance, and what not: and this is a demonstration that things are carried just as the Pope saith in the Bull, and the Presidents in the Sermon read, that they were to direct the Councell; for they did so indeed. The advice that the King had dismissed the Popes *Nuncio*, and published a *Manifest*, did reiterate the same discourses, which *Manifest* was then printed and divulged throughout. Where hee sheweth at large the causes why hee took upon him the protection of *Parma*, blameth the Pope for the warre begun, saying that he used this Artifice, that the Councell might not bee held; Concluding in the end, that it is not meet that hee should have money out of his Kingdome, to make warre against him, whence a great summe is ordinarily taken for Vacancies, Buls, Graces, Dispensations, and Expeditions: and therefore, by the counsell of his Princes, he did forbid to dispatch Curriers to *Rome*, and to answer money, or gold or silver not coyned, by way of banke, for Benefices or other Graces and Dispensations, upon paine of Confiscation, as well for Ecclesiastiques as seculars, and these to be punished corporally besides, giving the Promooters a third of the confiscation. This *Manifest* was inrolled in Parliament, with a proposition of the Attourney generall of the King, in which he said, that it was no new thing, but used by *Charles* the sixt, *Lewis*, the eleventh, and *Lewis* the twelfth, and was conformable to the common Law, that money should not to bee carried to the enemie, and that it would be a hard case, if with the money of *France*, warre should be made against the King, and that it was better for the subjects of the Kingdome to keep their money, and not care for dispensations, which were not able to secure the conscience, and are nothing but a shadow cast before the eyes of men, which cannot hide the truth from God.

The Presidents take upon them the authority of the Councell.

The French King dismisseth the Popes *Nuncio*, and publisheth a Manifest.

It could not be endured, neither at *Rome*, nor in *Trent*, that the King should solemnely protest, and make warre against the Pope, and still say, that hee bare the same reverence toward the Apostolique Sea, which is nothing but the Pope. Whereunto the Frenchmen answered, that antiquity had not this opinion; yea, *Victor* the third, who was one of the Popes that assumed much, said that the Apostolique Sea was his mistresse. The same was said before

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before him by *Stephen* the fourth, and by *Vitalianus*, and *Conſtantinus*, who were more ancient, it plainely appeareth, that by the Apoſtolike Sea is underſtood the Church of *Rome*; for if the Pope were the ſame thing, his errours and defects would be of the Apoſtolike Sea.

The French King waxeth more ſevere againſt the Proteſtants.

The French King, fearing that, by his diſſention with the Pope, thoſe that deſired change of Religion, would make ſome innovation, which might prove ſeditious, or that himſelfe might come into the bad opinion of his people as if his minde were averſe from the Catholike faith, and perhaps to open a way for reconciliation with *Rome*, he made a moſt ſevere Edict againſt the Lutherans, confirming all the others which he had publiſhed before, adding greater puniſhments, more wayes to diſcover the guilty, and greater rewards to the Promooters.

The Emperor, conſidering that the French King, in regard of the number of the French Cardinals, and other dependants of that Crown, had no leſſe power in the Colledge then himſelfe, and being combined with the Farneſi, did far exceed him, though he had the Pope of his ſide, ſent to *Rome Don John Manriques*, to perſwade his Holineſſe to create new Cardinals, to exceed, or equalize the number of the French. The Pope was enclined hereunto; yet he ſaw what difficulty there was, his Papacie being new, and exhauſted, and in time of ſtirres, when it is hard to have the conſent of all the Cardinals; and to create them without conſent was dangerous. He was doubtfull whether to make many at once, or by little and little. He thought he ſhould ſooner obtaine conſent for this ſecond courſe, and that his truſty friends would remaine in hope, and that the Cardinals would more oppoſe a numerous promotion, and thoſe that were excluded would deſpaire. He doubted whether it were fit to create any of the Prelats of the Councell; becauſe there were many that deſerved well, and the three Electors were not to bee paſſed over, eſpecially the Elector of *Mentz* who thought of it. On the other ſide, to ſend red Caps to the Councell, hee thought would move envie. Hee reſolved not to expect Chriſtmas, when all come forth with their pretenſions, and the places of common meetings are full of wagers, but to execute this buſineſſe ſome day before upon the ſudden; though afterwards he found no fit time to create them, but Chriſtmas.

But to returne to *Trent*, the ſecond of September, the day following the Seſsion, a generall Congregation was made, and, in it, Fathers deputed to frame the Articles of the *Euchariſt*, to bee given to the Divines, and to collect the abuſes in that matter. Afterwards they diſcourſed of the Reformation; which becauſe it was to take away the cauſe why Biſhops do not reſide, many were repeated, ſome propoſed before in *Trent* and *Bolonia*, and ſome then firſt ſpoken of. Finally, they inſiſted upon juriſdiction; ſaying that the Biſhops were wholly deprived of it, partly by avocation of cauſes, and partly by appeales, but eſpecially by exemptions: yea, that more often juriſdiction was exerciſed over and againſt them by their Subjects, either by ſpeciall commiſsion from *Rome*, or by vertue of *Conſervatories*, then by them over their ſubjects. And Fathers were elected to frame the Articles concerning this matter. The Preſidents, conſidering the Popes inſtruction to avoid dangerous contentions among the Divines, and their unintelligible

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telligible diſputes, in which they grow bitter, and alſo their confuſion in ſpeaking, they gave out the Articles framed, which they were to begin to handle on Tueſday after dinner, and there added the manner and order to bee held in the Congregations, much limited, which did compell them to ſpeake ſoberly. The Articles were tenne; drawne from the doctrine of the Zuinglians, and Lutherans. 1. That in the Euchariſt the Body, Blood, and Divinitie of Christ is not truely, but as in a ſigne. 2. That Christ is not given to bee eaten Sacramentally, but ſpiritually, and by faith. 3. That in the Euchariſt there is the Blood and Body of Christ, but together with the ſubſtance of the Bread and Wine, ſo that there is no *Tranſubſtantiation*, but an hypoſtaticall union of the humanitie, and of the ſubſtances of the Bread and Wine; ſo that it may be truely ſaid, this Bread is the Body of Christ, and this Wine is the Blood of Christ. 4. That the Euchariſt is onely for remiſsion of ſinnes. 5. That Christ ought not to bee worſhipped in the Euchariſt, nor honoured in feaſts, nor carried in proceſsion, nor to the ſick, and that the worſhippers are truely Idolaters. 6. That the Euchariſt ought not to be ſaved, but ſpent, and diſtributed immediatly, and that hee that doth not ſo, doth abuſe this Sacrament, and that it is not lawfull for any to give the Communion to himſelfe. 7. That in the particles which remaine after the Communion, the Body of our Lord doth not remaine, but onely while it is received, and neither before nor after. 8. That it is *de jure divino*, to give both kinds to the people and children, and that they ſinne who force them to uſe one onely. 9. That ſo much is not contained under one, as under both, neither doth he receive ſo much, who communicateth with one, as hee that doth communicate with both. 10. That onely faith is a ſufficient preparation to receive the Euchariſt, neither is confeſsion neceſſary, but free, eſpecially to the learned; neither are men bound to Communicate at Eaſter.

Ten Articles concerning the Euchariſt are propoſed to be diſcuſſed by the Divines.

After theſe Articles a precept was added, in this forme. That the Divines ought to confirme their opinions with the holy Scripture, Traditions of the Apoſtles, ſacred and approved Councels, and by the conſtitutions and authorities of the holy Fathers; that they ought to uſe brevitie, and avoid ſuperfluous and unprofitable queſtions, and perverſe contentions. That this ſhall bee the order of ſpeaking amongſt them; firſt, thoſe that are ſent by the Pope are to ſpeak; then thoſe that are ſent by the Emperour; and, in the third place, the Secular Divines, according to the order of their promotions; and laſtly the Regulars, according to the precedencie of their orders. And the Legate and Preſidents, by the Apoſtolique authoritie granted them, gave faculty and authority to the Divines, who are to ſpeake, to have and read all prohibited books, that they may finde out the truth, and confute and impugne falſe opinions. This order did not pleaſe the Italian Divines; who ſaid it was a novitie, and a condemning of Schoole-Divinitie, which in all difficulties, uſeth reaſon, and becauſe it was not lawfull to treat as Saint *Thomas*, Saint *Bonaventure*, and other famous men did. The other doctrine which is called poſitive, and conſiſteth in collecting the ſayings of the Scriptures and Fathers, was onely a faculty of the memory, and a paines in writing, and was old, but knowne to be unſufficient, and unprofitable

Who are preſcribed an order how they ſhall proceed.

Which doth diſpleaſe the Italian Divines.

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table by thoſe Doctors, who, for theſe three hundred and fifty yeares, have defended the Church, and that this was to yeeld the victory to the Lutherans. For when the point ſhall ſtand upon variety of reading, and memory, they will ever overcome, in regard they know many tongues, and read divers Authours, whereunto he that will be a good Divine cannot apply himſelfe, who muſt exerciſe his wit, and make himſelfe able to weigh things, and not to number them. They complained, that this was to ſhame themſelves before the Dutch Divines, who, being accuſtomed to contend with the Lutherans, are exerciſed in this kinde of Learning, which is not uſed in *Italy*; who, if they were to ſpeak according to true Theologie, it would appeare they knew nothing: But the Preſidents, being willing to pleaſe them, have done this ſhame to the Italians. Though many complained hereof, yet it prevailed but little, becauſe generally the Fathers deſired to heare men ſpeak with intelligible termes, not abſtruſely, as in the matter of juſtification, and others already handled. And it is certaine, that this order did facilitate the expedition.

Opinions are delivered concerning the Articles.

In divers Congregations all the voyces were comfortable. For the firſt Article, that it ſhould be condemned for hereticall, as formerly it had beene. In the ſecond there were three opinions. Some ſaid it was to bee omitted, for that no heretique doth denie the Sacramentall Communion. Others held it onely for ſuſpected; and ſome would have delivered it in clearer termes. The common opinion was, that the third was hereticall, but that it was not fit to condemne, or ſpeak of it, becauſe it was an opinion invented by *Robertus Tuicienſis*, more then foure hundred yeares ſince, and never followed by any, therefore to ſpeak of it, would (contrary to the precept of the wiſe man) move the evill, which, being quiet, hurted not. They added, that the Councell was aſſembled againſt the moderne hereſies, and therefore that they were not to take paines in the old. Concerning the fourth Article, there were divers opinions. Some ſaid, that the word, onely, being taken away, the opinion was Catholique, to ſay that the Euchariſt is for the remiſſion of ſinnes, and that word was not put by any of the heretiques; and therefore they thought this Article might bee omitted. Some ſaid it was hereticall, though the word, onely, were removed, becauſe the Sacrament of the Euchariſt is not inſtituted for the remiſsion of ſinnes. In the fift, all agreed, and many amplifications were uſed to perſwade the worſhip, and many new wayes propoſed to enlarge it, as the devotion of every one had found out. Likewiſe they all agreed in the ſixt, except in the laſt part, that is, that it is not lawfull to give the Communion to himſelfe. Some ſaid, that it being underſtood of the Laiques, it was Catholique, and therefore it muſt bee expreſſed, that it is to bee condemned onely in regard of the Prieſts. Others ſaid, that neither in regard of theſe it was to bee condemned for hereticall, becauſe in the ſixt Councell, the hundred and one chapter, it was not condemned. Others would, that, for the Laiques alſo, the caſe of neceſsity ſhould bee excluded. In the ſeventh, all powred themſelves out into invectives againſt the moderne Proteſtants, as inventors of a wicked opinion, never heard of before in the Church. Upon the eight all made long diſcourſes, though all to the ſame purpoſe. Their principall reaſons to condemne

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it were, becauſe our Saviour, in the foure and twentieth of Saint *Luke*, did bleſſe the bread onely to the two Diſciples: and becauſe, in the Lords Prayer, wee aske our daily bread; and becauſe, in the Acts of the Apoſtles, in the ſecond, and twentieth Chapters, bread onely is ſpoken of, and Saint *Paul* in the ſhip, in the ſeven and twentieth, bleſſed nothing but the bread. Authorities of the ancient Doctors, and ſome examples of the Fathers were brought, but they grounded themſelves principally upon the Councell of *Conſtance*, and the cuſtome of the Church, as alſo upon divers figures of the Old Teſtament, and drew many prophecies alſo in this ſenſe. And, concerning the children, all agreed that perhaps it might formerly be done by ſome particular man, but was, by all others, knowne to bee an errour. In the ninth Article, the firſt part, that as much is not contained under one *Species* as under both, was thought to bee hereticall by the Dutch Divines; but the Italians ſaid it muſt be diſtinguiſhed, before it could be condemned. For if it were underſtood in reſpect of the vertue of the conſecration, it is cleare that under the bread there is the body onely, and under the wine, the bloud onely; but by conſequence, which the Divines call *Concomitancie*, under the bread there is the bloud, ſoule, and divinity, and under the wine, there is the body, and the other things; and therefore it is not to be condemned in ſo generall termes. But for the ſecond, that as much is received by one as by both, there was a difference; for many did think, that although no more of the Sacrament, yet more grace was received; ſo that they did deſire a declaration herein. In the tenth ſome would have the firſt part expounded of dead faith, becauſe there is no doubt but that a lively faith is ſufficient. For the neceſsity of Confeſsion, the Dominicans conſidered, that many learned and holy Catholiques held that opinion, ſo that to condemne that would be to condemne them. Others propoſed, for a temper, that it ſhould not be condemned as hereticall, but as pernicious. Some would have this condition added, if there were commodity for a Confeſſor. The laſt part, for communicating at Eaſter, it not being commanded by the Law of GOD, but by the Church onely, the common opinion was, that it ought not to be condemned for hereticall, it being a thing not heard of, that one ſhould be condemned of hereſie, for not approving a particular humane precept. Many Divines did propoſe another Article alſo, taken out of writings of *Luther*, which was neceſſary to condemne. And it was this: that although there was a neceſsity to recite the words of CHRIST, yet they are not the cauſe of the preſence of CHRIST in the Sacrament, but the cauſe is, the faith of him who receiveth it.

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After all the Divines had ſpoken, the deputed Fathers did collect ſeven *Anathematiſmes*, out of their opinions, which being propoſed in the generall Congregation, it was firſt of all conſidered, that it was not fit to paſſe over the matter with *Anathematiſmes* onely; that this was not to teach, but onely to confirme; that the ancient Councels had not done ſo, which alwayes had expounded the Catholique opinion, and then condemned the contrarie; that the ſame ſucceeded well to this Councell, in the matter of Juſtification; and although it was forced, in the Seſsion of the Sacraments, to change this courſe, for urgent reſpects, yet that was rather to

Out of which, 7. *Anathematiſmes* are compoſed.

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be imitated which was then done by reaſon, then that which was after changed by neceſsity. This opinion was cheriſhed by the Italian Divines, who ſaw there was but one way to regaine their reputation loſt. For as the Dutch and Flemiſh Divines were of ability to prove the concluſions by authorities, ſo to expound them, and finde their cauſes, there was need of Schoole Divinity, in which themſelves were well ſeene. This opinion did prevaile; and order was given, that the Heads of doctrine ſhould be framed, and Fathers deputed to ſee it done. The Heads were reduced to the number of eight. Of the Reall preſence. Of the Inſtitution. Of the excellency. Of Tranſubſtantiation. Of worſhip. Of preparation to receive the Sacrament. Of the uſe of the Cup in the Communion of the Laity. Of the Communion of Children. It was propoſed alſo to make a collection of the abuſes which did occurre, and to adde the remedies. Then, in that Congregation, and ſome of thoſe that followed, the Fathers began to ſpeak their opinion concerning the ſeven *Anathematiſmes*: wherein nothing remarkable was ſaid, but that, in condemning thoſe who confeſſed not the reall preſence of the Lords body, many deſired that the Canon ſhould be more fat and pregnant (for ſo their words were) that, in the Euchariſt, there is the body of Jesus Christ, the ſame which was borne of the Virgin, did ſuffer on the Croſſe, was buried, raiſed, and aſcended into heaven, ſitteth on the right hand of God, and ſhall come to judgement. And ſome of them called to minde, that there wanted one very important point, that is, to declare, that the Miniſter of this Sacrament is the Prieſt, lawfully ordained. Which they did, becauſe *Luther* and his followers doe often ſay, that every Chriſtian may doe it, even a woman.

Eight heads of doctrine are propoſed to bee diſcuſſed.

But the Earle of *Montfort*, perceiving that they treated of a matter much controverſed, eſpecially of the Communion of the Cup, which was the moſt palpable, popular, and beſt underſtood by all, hee thought, that, if that were determined, the Proteſtants would never bee induced to come to the Councell, and all the labour would bee in vaine. And having imparted this to his Colleagues, and the Ambaſſadors of *Ferdinand*, they went all together to the Preſidents, to whom, when they had ſhewed what paines *Cæſar* had taken, both in warre, and in the negotiation to make the Proteſtants ſubmit to the Councell, which they would never doe if they went not thither, they ſhewed that they ought to apply themſelves principally to this; and, to that end, the Emperour had given them a ſafe conduct. But they were not contented with it, alleadging that it was decreed in the Councell of *Conſtance*, and really executed, that the Councell is not bound by the ſafe conduct of any, whatſoever hee bee; and therefore they required one from the Synod, which was promiſed to them by *Cæſar*, who gave charge to them his Ambaſſadours to obtaine it of the Councell. Whereunto the Legate making a very complementall anſwer, and referring himſelfe to the Seſsion which ſhould bee held, to gaine time, that hee might give an account thereof to *Rome*, the Earle added, that for the ſame cauſe, he thought it not fit, that, before their comming, the controverſed points of the *Euchariſt* ſhould bee handled; that there wanted not matters of reformation to bee treated on, or others, in which there was no difference. The Legate

The Ambaſſadors of the Emperor and *Ferdinand* diſſwade the diſcuſſion of the Communion under one kinde.

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anſwered, that it was reſolved long agoe to handle the *Euchariſt*; neither could it be altered, becauſe it was concluded before, that the Decrees of faith and reformation ſhould goe hand in hand, and that the matter of the *Euchariſt* did follow that of reformation, which was handled laſt, before they went to *Bolonia*. But hee ſaid, that this was more controverſed with the Zinglian Suiſſes, then with the Proteſtants, who are not Sacramentaries, as thoſe. The Count ſpake of the Communion of the Cup, and ſaid, that if that point were decided againſt them, which is underſtood by all the people, and a thing whereon they ſtand moſt, it was impoſsible to reduce them. That, *Cæſar* alſo in the Decree of the *Inter-religion*, was forced to yeeld in this, and therefore deſired that they would be pleaſed to deferre it untill the comming of the Proteſtants. The Legate did not refuſe, but paſſed it over with generall and unconcluding words, that hee might firſt underſtand the Popes minde, unto whom he gave an account of whatſoever was handled by the Divines, and of the *Anathematiſmes* framed, and of that which was diſcourſed in matter of reformation (whereof we will ſpeak hereafter) and then he gave advice of the two requeſts of the Emperours Ambaſſadours, deſiring an anſwer.

The Legate giveth the Pope an account of all.

The Pope put theſe things in conſultation; and, for the ſafe conduct, found variety of opinions. Some would not have it given, alleadging that it was never done but by the Councell of *Baſil*, which was not to be imitated in any thing; and that it was a great prejudice to binde themſelves to rebels, though any thing might bee endured if there were hope to gaine them; but there was none at all: yea rather, in ſtead of that, there was reaſon to feare that ſome would bee perverted, as *Vergerius* was, though not wholly, yet in ſome part; from which contagion the moſt principall Prelates, and the moſt obliged to the holy Sea, have not beene exempted. On the other ſide it was ſaid, that, not out of hope to convert, but to leave them without excuſe, it was fit to give them all ſatisfaction; but the rather, becauſe the Emperour for his owne intereſts, had made greater inſtance, whom it was neceſſary to pleaſe now, becauſe, *France* being aliened, they were wholly to depend on him: and it was better to prevent, and doe that willingly, which of neceſsity was to be done. And, concerning the prejudices, it might bee made in ſuch a forme, that it ſhould not binde at all, or very little. Firſt, by not deſcending to name the Proteſtants, but in generall, the Eccleſiaſtikes and Seculars of the German Nation, of every condition. For ſo, under the generall words, it may bee ſaid they are comprehended, or, that it is underſtood of the Catholikes onely, and not of them, alleadging that, for them, a ſpeciall and expreſſe mention was neceſſary. Then the Synod may grant a ſafe Conduct for it ſelfe, and the Popes authority will bee reſerved. Then Judges, concerning faults committed, may bee deputed, and the election left to them, to avoid ſuſpicion. So that vigor of diſcipline, and authority of puniſhing would bee retained, and no ſhew made of yeelding or remitting any thing. This opinion prevailed with the Pope, who according to that forme, made a draught of the ſafe Conduct, and anſwered the Legate, commending his wiſedome in the anſwers hee had given, reſolving that the ſafe Conduct ſhould bee granted in the forme hee ſent him, and that the mat-

Who cauſeth a conſultation to be held;

And anſwereth thus.

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ter of the Cup ſhould be deferred, and the Proteſtants expected, but not above three moneths, or little more, not being idle in the meane while, but making a Seſsion betweene, to treat of Penance, which he would not have deferred above forty dayes, or little more. Hee advertiſed them alſo, that the Canons, in matter of the *Euchariſt*, were too full, and that it were better to divide them.

While they conſulted in *Rome*, in *Trent* they went on to handle the points of doctrine; wherein they proceeded as eaſily, as before, in diſcuſsing the Articles. But when they came to expreſſe the manner of exiſtence, how CHRIST is in the Sacrament, and the *Tranſubſtantiation*, how the Body of CHRIST is made of the Bread, and the Bloud of the Wine, it could not be treated on without contention betweene the two Schooles, Dominican, and Franciſcan; which did much trouble the Fathers, by the ſubtilty and ſmall fruit thereof, themſelves not knowing how to explicate their owne meaning. In ſumme, the Dominicans would not have it ſaid, that Chriſt was in the *Euchariſt*, becauſe he went thither from another place where he was before; but, becauſe the ſubſtance of the Bread is turned into his Body, the Body being in the place where the Bread was, without going thither; and becauſe all the ſubſtance of the Bread is turned into all the ſubſtance of the Body, that is, the matter of the Bread into the matter of the Body, and the forme into the forme, it is properly called *Tranſubſtantiation*. And therefore there are two ſorts of the exiſtence of CHRIST our Lord, both of them reall, true, and ſubſtantiall; one, as he is in heaven, whither he aſcended, when he parted from the earth, where he firſt converſed: the other, as hee is in the Sacrament, in which he is, becauſe he is where the ſubſtances of the Bread and Wine, converted into him, were firſt. The firſt exiſtence is called naturall, becauſe it agreeth to all bodies; the ſecond, as it is ſingular, ſo it cannot be expreſſed with any name agreeing to others, nor can bee called Sacramentall, which were as much as to ſay, that it was not there really, but as in a ſigne, the Sacrament being nothing but an holy ſigne, except by Sacramentall one would underſtand a reall manner, proper to this Sacrament onely. The Franciſcans would have it ſaid, that one body may, by Gods omnipotencie, bee truely and ſubſtantially in many places, and when it doth get a new place, it is in it, becauſe it goeth thither, not by a ſucceſsive mutation, as when it leaveth the firſt place to get the ſecond, but in an inſtant, in which it gaineth the ſecond, vvithout loſing the firſt; and that God hath ſo ordained, that vvhere the body of CHRIST is, there ſhould remaine no other ſubſtance, not by annihilation, becauſe the ſubſtance of CHRIST ſucceedeth in place of it, and therefore it is truly called *Tranſubſtantiation*, not becauſe the one ſubſtance is made of the other, as the Dominicans ſay, but for that the one doth ſucceed the other. The manner of CHRISTS being in heaven and in the Sacrament differeth not in ſubſtance, but in quantity onely: becauſe in heaven the magnitude of the body poſſeſſeth as much ſpace as is proportionable to it, and it is ſubſtantially in the Sacrament without poſſeſsing any place. Therefore both ſorts are true, reall, and ſubſtantiall, and in regard of the ſubſtance, naturall alſo: in reſpect of the quantity the exiſtence in heaven is naturall, and in the Sacrament miraculous, differing in this onely, that in heaven

A contention ariſeth betweene the Franciſcans and Dominicans concerning the reall preſence.

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heaven the quantity is truly a quantity, and in the Sacrament, hath the condition of a ſubſtance. Either party was ſo wedded to their owne opinion, that they affirmed it to be plaine, cleere, and intelligible to all, and oppoſed infinite abſurdities againſt the other. The Elector of *Cullen*, who with *Johannes Groperus*, was aſsiduous at the diſputations, to underſtand this matter, in that which one party oppoſed againſt the other, he gave a reaſon to them both, in that which either of them affirmed, he ſaid, he deſired ſome probability, and that they ſhould ſpeak as underſtanding the matter, not, as they ſeemed to do, by cuſtome and habite of the Schooles. Divers draughts were made by both ſides, to expreſſe theſe myſteries, and ſome were compoſed by taking ſome thing from either party. But none gave ſatisfaction, eſpecially to the *Nuncio Verona*, who was the principall Superintendent in this matter. It was determined in the generall Congregation, to uſe as few words as was poſsible, and to make an expreſsion ſo univerſall, as might be accommodated to the meaning of both parties: and the care hereof was committed to ſome Fathers and Theologues, with the ſuperintendencie of the foreſaid *Nuncio*.

The abuſes occurring therein are noted:

In the end of this Congregation, it was propoſed that a collection ſhould be made, of the abuſes occurring in this matter; with remedies againſt them, and, in the Congregations following, many were recounted. That in ſome particular Churches, the Sacrament is not kept, and in others, is kept very undecently. That, when it is carried in the ſtreet, many do not kneele to it, and ſome ſcarce vouchſafe to put off their caps. That, in ſome Churches, it is kept ſo long, that it becommeth putrified. That, in adminiſtring the holy Communion, great indecencie is uſed by ſome pariſh Prieſts, who have not ſo much as a cloath, for him that communicateth, to hold in his hand. That, (which is of moſt importance) the communicants do not know what they receive, nor are inſtructed of the dignity, and fruit of this Sacrament. That Concubinaries, Concubines, and other enormous ſinners, and many who know not the *Pater noſter*, and *Ave Maria*, are admitted to the Communion. That money is demanded at the Communion in the name of almes, and, which is worſe, there is an uſe in *Rome*, that he who is to communicate, doth hold a burning candle in his hand, with money ſticking in it, which, together with the candle, after the Communion, remaineth to the Prieſt, and he that beareth not a candle, is not admitted to the Communion. To remedy part of theſe, and others abuſes, five Canons were made, which had a faire proheme. In which it was conſtituted, that the Sacrament being lifted up on the Altar, or carryed by the way, every one ſhould kneele, and uncover his head. That the Sacrament ſhould bee kept in every Pariſh Church, and renewed every fifteene dayes; and have a lamp burning before it night and day. That it bee carried to the ſicke, by the Prieſt, in an honourable habite, and alwayes with light. That the Curates teach the people, what grace is received in this Sacrament, and execute againſt them, the penalties of the Chapt. *Omnis utriuſque ſexus*. That the Ordinaries ſhould have care of the execution, chaſtiſing the tranſgreſſours with arbitrary puniſhments, beſides thoſe which are ſet downe by *Innocentius* the third, in the Chapt. *Statuimus*, and by *Honorius* the third, in the Chapt. *Sane*.

And five Canons made to redreſſe them.

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The reformation was handled, at the ſame time, when there was diſputation in matter of faith, but by other Congregations, in which the Canoniſts did aſsiſt, which diſcuſsions, not to interrupt the matter, I have brought all together to this place. And becauſe the purpoſe was to reforme the Epiſcopall juriſdiction, this place requireth (for the underſtanding of what will bee ſaid upon this, and many other occaſions hereafter) that the originall ſhould bee declared, and how, being mounted to ſo great power, it became ſuſpected to Princes, and terrible to the people. CHRIST having commanded his Apoſtles to preach the Goſpel, and adminiſter the Sacraments, hee left alſo to them, in perſon of all the faithfull, this principall precept, To love one another, charging them to make peace betweene thoſe that diſſented, and, for the laſt remedy, giving the care thereof to the body of the Church, promiſing it ſhould bee bound and looſed in heaven, whatſoever they did binde and looſe on earth, and whatſoever two did aske with a common conſent, ſhould be granted by the Father. In this charitable office to give ſatisfaction to the offended, and pardon to the offendor, the Primitive Church was alwaies exerciſed. And, in conformity of this, Saint *Paul* ordained, that brothers, having civill ſuits one againſt another, ſhould not go to the Tribunals of the Infidels, but that wiſe men ſhould be appointed to judge the differences; and this was a kind of civill Judgement, as the other had a ſimilitude of a criminall; but were both ſo different from the judgements of the world, that as theſe are executed by power of the Judge, who enforceth ſubmiſsion, ſo thoſe only by the will of the guilty, to receive them, who refuſing them, the Eccleſiaſticall Judge remaineth without execution and hath no power, but to foreſhew the judgement of GOD, which, according to his omnipotent good pleaſure, will follow, in this life, or the next.

The reformation is handled at the ſame time with the Doctrine, but in divers Congregations.

And indeed, the Eccleſiaſticall judgement did deſerve the name of charity, in regard that it onely did induce the guilty to ſubmit, and the Church to judge with ſuch ſincerity, that neither in the one any bad effect could have place, nor juſt complaint in the other; and the exceſſe of charity in correcting, did make the corrector to feele greater paine then the corrected; ſo that, in the Church, no puniſhment was impoſed, without great lamentation of the multitude, and greater of the better ſort. And this was the cauſe why to correct, was called to *lament*. So Saint *Paul*, rebuking the Corinthians, for not chaſtiſing the inceſtuous, ſaid, *You have not lamented to ſeparate ſuch a tranſgreſſour from you.* And in another Epiſtle, I feare that when I come unto you, I ſhall not finde you ſuch as I deſire, but in contentions and tumults, and that at my comming, I ſhall *lament* many of thoſe who have ſinned before. The judgement of the Church (as is neceſſary in every multitude) was fit that it ſhould be conducted by one, who ſhould preſide and guide the action, propoſe the matters, and collect the points to bee conſulted on. This care, due to the moſt principall, and worthy perſon, was alwayes committed to the Biſhop. And where the Churches were many, the propoſitions and deliberations were made by the Biſhop, firſt in the Colledge of the Prieſts and Deacons, which they called the Presbytery, and there were ripened, to receive afterwards the laſt reſolution in the generall

A diſcourſe of the Author concerning Epiſcopall Juriſdiction.

Congrega-

Congregation of the Church. This forme was ſtill on foot in the yeere two hundred and fifty, and is plainly ſeene by the Epiſtles of *Cyprian*, who in the matter concerning thoſe who did eat of meats offered to Idols, and ſubſcribe to the Religion of the Gentiles, writeth to the Presbytery, that hee doth not thinke to do any thing without their counſell, and conſent of the people; and writeth to the people, that, at his returne, he will examine the cauſes, and merits thereof, in their preſence, and under their judgement; and he wrote to thoſe Prieſts, who, of their owne braine, had reconciled ſome, that they ſhould give an account to the people. 1551 JULIUS 3 CHARLES 5 EDWARD 6 HENRY 2.

The goodneſſe and charity of the Biſhops, made their opinion for the moſt part to be followed, and by little and little, was cauſe that the Church, charity waxing cold, not regarding the charge laid upon them by CHRIST, did leave the care to the Biſhop; and ambition, a witty paſsion, which doth inſinuate it ſelfe in the ſhew of vertue, did cauſe it to bee readily embraced. But the principall cauſe of the change was the ceaſing of perſecutions. For then the Biſhops did elect as it were a tribunall, which was much frequented; becauſe as temporall commodities, ſo ſuits did encreaſe. The judgement, though it were not as the former, in regard of the forme, to determine all by the opinion of the Church, yet it was of the ſame ſincerity. Whereupon *Conſtantine*, ſeeing how profitable it was to determine cauſes, and that, by the authority of Religion, captious actions were diſcovered, which the Judges could not penetrate, made a Law that there ſhould lie no appeale from the ſentences of Biſhops, which ſhould bee executed by the ſecular Judges: and if in a cauſe depending before a ſecular tribunall, in any ſtate thereof, either of the parties, though the other contradict, ſhall demand the Epiſcopall judgement, the cauſe ſhall bee immediatly remitted unto him.

Here the tribunall of the Biſhop, began to bee a common pleading place, having execution by the miniſtery of the Magiſtrate, and to gaine the name of Epiſcopall juriſdiction, Epiſcopall audience, and ſuch like. The Emperour *Valence* did enlarge it, who, in the yeere 365. gave the Biſhops the care over all the prizes of vendible things. This judiciall negotiation pleaſed not the good Biſhops. *Poſsidonius*, doth recount that *Auſtin*, being imployed herein, ſometimes untill dinner time, ſometimes longer, was wont to ſay, that it was a trouble, and did divert him from the things proper unto him; and himſelfe writeth, that it was to leave things profitable, and to attend things tumultuous and perplexed. And Saint *Paul* did not take it to himſelfe, as being not fit for a Preacher, but would have it given to others. Afterwards ſome Biſhops, beginning to abuſe the authority given them by the law of *Conſtantine*, that law was ſeventy yeeres after, revoked by *Arcadius* and *Honorius*, and an ordination made that they ſhould judge cauſes of Religion, and not civill, except both parties did conſent, and declared that they ſhould not be thought to have a Court. Which law being not much obſerved in *Rome*, in regard of the great power of the Biſhop, *Valentinian* being in the City, in that yeere 452. did renew it, and made it to be put in execution. But a little after, ſome part of the power taken away was reſtored by the Princes that follow-

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followed; ſo that *Juſtinian* did eſtabliſh unto them a Court, and audience, and aſsigned to them the cauſes of Religion, the Eccleſiaſticall faults of the Clergie and divers voluntary juriſdictions alſo over the Laitie. By theſe degrees the charitable correction, inſtituted by Christ, did degenerate into domination, and made Chriſtians loſe their ancient reverence and obedience. It is denyed in words, that Eccleſiaſticall juriſdiction is dominion, as is the ſecular, yet one knoweth not how to put a difference betweene them. But S. *Paul* did put it, when he wrote to *Timothy*, and repeated it to *Titus*, that a Biſhop ſhould not be greedy of gaine, nor a ſtriker. Now on the contrary, they make men pay for proceſſes, and impriſon the parties, as is done in the ſecular Court.

But the Weſterne Countries being ſeparated, and an Empire made of *Italy*, *France*, and *Germany*, and a Kingdome of *Spaine*, in theſe foure Provinces the Biſhops, for the moſt part, were made Councellours of the Prince, which, by the mixture of ſpirituall and temporall charges, cauſed their juriſdiction to encreaſe exceedingly. Before 200. yeeres were paſt, they pretended abſolutely all judicature, criminall and civill, over the Clergie, and, in ſome things, over the Laitie alſo, pretending that the cauſe was Eccleſiaſticall. Beſides this kinde of judicature, they invented another, which they called mixt, in which the Magiſtrate or the Biſhop might proceed againſt the ſecular, which of them tooke the cauſe in hand firſt; whereby in regard of their exquiſite diligence, never leaving place to the ſecular, they appropriated all unto themſelves; and thoſe which remained out of ſo great a number, were comprehended in the end by a generall rule, eſtabliſhed by them, as a ground of faith, that every cauſe is devolved to the Eccleſiaſticall Court, if the Magiſtrate will not, or neglect to doe juſtice. But if the pretenſions of the Clergie were contained within theſe bounds, the ſtate of Chriſtian Common wealthes were tolerable. The people and Princes, when they ſaw it mount to theſe unſupportable termes, might with Lawes and Statutes have brought the judgements to a ſufferable forme, as formerly upon occaſion hath beene done. But that which put Chriſtendome under the yoke, tooke from it, in the end all meanes to ſhake it from the necke. For after the yeere 1050. all the cauſes of the Clergie being appropriated to the Biſhops, and very many of the Laitie, under title of ſpirituality, and almoſt all the reſt under the name of a mixt judicature, and placing themſelves above ſecular Magiſtrates, upon pretence of juſtice denied, they came to ſay, that the Biſhop had that power to judge, not by the grant or connivency of Princes, or by the will of the people, or by cuſtome, but that it was eſſentiall to the Epiſcopall dignity, and given to it by Christ.

And though the Lawes of the Emperours remaine in the *Codes* of *Theodoſius* and *Juſtinian*, in the *Capitulars* of *Charles* the great, and *Lewis* the *Debonaire*, and others of later Princes of the Eaſt and Weſt, which doe all ſhew plainely, how, when and by whom this power hath beene granted, and all Stories, as well Eccleſiaſticall as prophane, doe agree in declaring the ſame grants and cuſtomes, adding the reaſons and cauſes, yet ſo notorious a truth hath not had ſuch power, but that a contrary affirmation onely, without any proofe, hath beene able to overcome it; which the Canoniſts have ſo farre

maintained,

maintained, as to publiſh thoſe for hereticks who do not ſuffer themſelves to be hoodwinckt. And not ſtaying here they adde, that neither the Magiſtrate, nor the Prince himſelfe, can meddle in any of thoſe cauſes which the Clergie hath appropriated, becauſe they are ſpirituall, & of ſpirituall things the Laiques are uncapeable. Yet the light of truth was not ſo put out, but that learned and godly men, in thoſe firſt times, did oppoſe that doctrine, ſhewing that both the Premiſſes of that diſcourſe were falſe, and that the Major, that is, that the Laiques are uncapeable of ſpirituall things, was abſurd and impious. For they are adopted by the heavenly Father, called the ſonnes of God, brothers of CHRIST, partakers of the Kingdome of heaven, made worthy of Divine grace, of Baptiſme, and of the Communion of the fleſh of CHRIST. What other ſpirituall things are there beſide theſe? And if there were, how can hee, who is partaker of theſe which are the chiefeſt, bee ſaid abſolutely in generall termes to bee uncapeable of ſpirituall things? But they ſaid that the Minor was falſe alſo, that cauſes appropriated to the Epiſcopall judicature are ſpirituall. For all either delicts or contracts: which, conſidering the qualities, given by the holy Scripture to ſpirituall things, are as farre from being ſuch, as earth is from heaven. But the oppoſition of the better part could not overcome the greater, and ſo, upon the ſpirituall power, given by CHRIST to the Church, to binde and looſe, and upon the inſtitution of Saint *Paul*, to compoſe contentions betweene Chriſtians, without going to the tribunall of Infidels, in much time, and by many degrees, a temporall tribunall hath beene built, more remarkeable then ever was any in the world, and in the midſt of every Civill government another inſtituted, not depending on the Publike, which is ſuch a kinde of Common-wealth, as not one of as many as have written of governments would have imagined could ſubſiſt. I will omit to ſpeake how the paines of ſo many, beſides the obtaining of the wiſhed end, to make themſelves independent of the publike, have before they were aware, raiſed an Empire, there being a more difficult opinion ſprung up, taking root with admirable progreſſe, which giveth to the Pope of *Rome*, as much at once, as hath, in 1300. yeeres, beene gained by ſo many Biſhops, by ſuch extraordinary meanes, not making the power to binde and looſe the foundation of juriſdiction, but the power of feeding, and ſo affirming, that all juriſdiction was given the Pope by CHRIST, in the perſon of *Peter*, when he ſaid to him, *Feede my ſheepe*. For ſo it will bee ſaid in the third reduction of the Councell, when great tumults were raiſed by this opinion, which ſhall then be recounted. But by that which hath beene now declared, every one may of himſelfe, conceive what remedies were neceſſary, to give a tolerable forme to a matter, broken out into ſo great corruptions and compare them with theſe that were propoſed.

1551

In 5 & 6 EDWARD 6. In 1 & 2 PHILIP & MARY. In 1 CHARLES 1.

In *Trent* there were two defects conſidered; that is, that the charity of the ſuperiours was turned into domination, and the obedience of the inferiours into complaints, ſubterfuges, and lamentations; and they firſt thought of providing, in ſome ſort, againſt them both. But in proſecuting the firſt, which is the fountaine from whence the ſecond is derived, they uſed onely an exhortatorie remedy to the Prelates to take away domination, and reſtore

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A diſcourſe of *Johannes Groperus* concerning Appeales

ſtore charity. And for the inferiours, many ſubterfuges, being mentioned to delude juſtice, three heads onely were taken; *Appeales*, Abſolutory graces, and Complaints againſt the Judges. *Johannes Groperus*, who aſsiſted in that Councell as a Divine and a Lawyer, ſpake honourably of *Appeales*, and ſaid, that while the heat of faith remained in the breaſts of Chriſtians, *Appeales* were not heard of. But charity in the Judges waxing cold, and place being given to paſsion, they entred into the Church, for the ſame reaſons which brought them into the ſecular Courts, that is, for the eaſe of the oppreſſed. And as the firſt judicatures belonged not to the Biſhop onely, but to him with the counſell of his Prieſts, ſo the *Appeale* was not devolved unto one man, but unto another Congregation. But the Biſhops, taking away the Synods, did inſtitute Courts and Officers, like the ſeculars. Neither did the miſchiefe ſtop there, but paſſed to greater abuſes then in the Secular Court. For there the firſt *Appeale* is onely to be immediate ſuperiour, neither is it lawfull to leap to the higheſt, nor permitted, in the articles of the cauſe to appeale from the Decrees of the Judge which they call interlocutories, but it is neceſſary to expect the end. But in the Eccleſiaſticall Courts one may appeale from every act, which maketh the cauſes infinite, and immediatly to the higheſt Judge, which carrieth them out of the Countries, with great charges, and other intolerable miſchiefes. This hee ſaid hee did declare, to conclude, that if they would reforme this matter, which is wholly corrupted, and doth not only hinder reſidencie, as in the Congregations of ſo many worthy Doctours and Fathers was conſidered, but corrupteth the whole diſcipline, and is a grievance, charge and ſcandall to the people, it was fit to reduce it to its beginning, or as neere to it as might bee, ſetting a perfect *Idea* before their eyes, and ayming at that, to come as nigh to it, as the corruption of the matter doth comport. That the well inſtituted monaſticall religions have forbidden all appeale, that this is the true remedy. Hee that hath not beene able to goe ſo high, hath moderated them, granting them within their order, and forbidding them without; which ſucceeding well, as appeareth, to keepe thoſe governments in order, it would worke the ſame effect in the publike governments of the Church, if the *Appeales* were confined within the ſame Province. And to effect this, and to bridle the malice of the litigants, it is ſufficient to reduce them to the forme of the Common lawes, forbidding the *Leap*, that is, to go to the higheſt without paſsing by the intermediate ſuperiours, and by forbidding *Appeales* from the Articles, or the interlocutory Decrees: with which proviſions, the cauſes will not go farre, will not be drawne in length, will not cauſe exceſsive charges, and other innumerable grievances; and, that the ſentences may paſſe with ſincerity, to reſtore the Synodals, which are not ſubject to ſo great corruptions, removing thoſe Officers by whom the world is ſo much ſcandalized, becauſe it is not poſsible that *Germany* ſhould endure them.

This opinion was not willingly heard, except by the Spaniards and Dutchmen. But the Cardinall and the *Nuncio* of *Siponto*, were diſpleaſed that he went ſo farre. For this was to take away, not onely the profit of the Court, but the honour alſo; no cauſe would goe to *Rome*, and by degrees, every one would forget

forget the ſuperiority of the Pope, it being an ordinary thing with men, not to eſteeme that Superiour, whoſe authority is not feared, or cannot bee uſed. Therefore they cauſed *John Baptiſta Caſtellus*, of *Bolonia*, to ſpeake in the next Congregation, in the ſame matter, in ſuch ſort, as that without contradicting *Groperus*, the appearance, which the reaſons alleadged by him did make, ſhould be darkened. He began with the praiſes of the ancient Church, yet dexterouſly touching, that in thoſe ſame times, there were imperfections, in ſome part greater, then in the preſent. He thanked GOD that the Church was not oppreſſed, as when the Arians did ſcarce ſuffer it to appeare: and ſaid, that antiquity ought not ſo to bee commended, as that ſomething in the latter age, may not be reputed better. Thoſe who praiſe the Synodall judicature, have not ſeene their defects, the infinite length in the diſpatches, the impediments in the diligent examination, the difficulty to informe ſo many, the ſeditions made by the factious: it is to bee beleeved that they have beene intermitted, becauſe they did not ſucceed well, and that the Courts and Officers have beene brought in, to remedy thoſe diſorders. It cannot bee denied, that theſe have ſome that deſerve to be provided againſt; which is fit to doe, without reſtoring that which was aboliſhed, becauſe it was intolerable. In *Appeales*, the cuſtome was to paſſe by the intermediate Superiours, and not, at the firſt, to leap to the higheſt; which was taken away, becauſe the Governours of Provinces and Countries, were become Tyrants over the Church, and for a remedy, all buſineſſes were carried to *Rome*. This hath its inconveniencies, the great diſtance of place, and charge, but they are more tolerable then oppreſſion. He that would reduce the firſt cuſtome, ſhould finde that in ſtead of redreſſing one evill hee ſhould cauſe many and every one greater. But above all it muſt be conſidered, that the ſame publike thing muſt not alwayes bee ordered in one manner, but as time hath mutations, ſo it is fit to change the government. The ancient manner of governing will not be profitable, except the ancient ſtate of the Church doe returne. He that, ſeeing how children are governed, and how the liberty of eating and drinking any thing, at any time, is cauſe of health and ſtrength, ſhould thinke an old man might doe ſo, would finde himſelfe much deceived. The Churches were little, compaſſed with Pagans, united amongſt themſelves, as being neere the enemy; now they are great, without any oppoſite to keepe them in their duty; whereupon the common things are neglected, and it is neceſſary they ſhould be cared for by one. If the cauſes did continue in every Province, within a few yeeres there would be ſuch diverſity, that one would be contrary to another, and they would not ſeeme to be of the ſame faith and religion. The Popes of *Rome* took not upon them in ancient times many parts of government, when they ſaw it was good, but reſerved it to themſelves when it was abuſed by others. Many ſucceeding Popes were of holy life, and good intention, who would have reſtored it, but that they ſaw, that, in a corrupt matter, it could not be well uſed. His concluſion was, that to preſerve the unity of the Church, it was neceſſary to leave things as they are.

Neither did this pleaſe the Italian Prelats, who would have the Popes authority preſerved, yet withall, ſome thing reſtored to themſelves, eſpecially being

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In oppoſition whereof, *Johannes Baptiſta Caſtellus* maketh another diſcourſe by direction of the Preſidents.

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Julius 3.
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being to reſide; therefore they came to moderate the buſineſſe. To reſtore Synodall judicatures was rejected by almoſt all, becauſe it did diminiſh the Epiſcopall and was too popular. To appeale by degrees, though it was maintained by many; yet it was excluded by plurality of voyces. To appeale from the definitives alone, was accommodated with a limitation, that it ſhould be onely in criminall cauſes, others being left in the ſame ſtate, though perhaps they had more need to be reformed. For proceeding againſt the perſons of the Biſhops, no man deſiring to facilitate the judicature againſt himſelfe, the reſtoring of it to Parochiall Synods, unto which it did formerly belong, was not ſpoken of, but they deſired to provide that, it remaining in the Popes hands, it ſhould paſſe with greater dignity of that order, moderating the commiſsions which came from *Rome*, by which they were forced to appeare, and ſubmit themſelves to perſons of an inferior ranke. And this was ſo earneſtly deſired by all, that it was neceſſary for the Legat to yeeld unto it, though hee was not pleaſed with any exaltation of the Biſhops, becauſe all was taken from the Pope which was given to them.

The Dutch Prelats complaine of the lawes of *Degradation*.

The Dutch Prelates did propoſe, that the lawes of the *Degradations* might bee moderated, as being intolerable, and giving much occaſion of complaint in *Germany*. For it being a pure ceremonie which hindereth Juſtice, and they having deſired a moderation, ever ſince the yeere 1522. in the one and thirtieth of the hundred grievances, to ſee that the abuſe is continued, giveth matter of ſcandall to ſome, and of detraction to others.

A Diſcourſe about *Degradation*.

The ancient uſe of the Church was, that if any Eccleſiaſticall perſon would returne to the ſecular ſtate, to the end it might not appeare that thoſe who were deputed to the miniſtery of the Church, ſhould ſerve the world, the Biſhops did uſe to take from him the Eccleſiaſticall degree; as in warre, to hold themſelves in more reputation, it was not granted to a Souldier to returne to civill functions, and bee ſubject to the civill Judge, if hee were not firſt bereaved of his militarie degree; which therefore was called *Degradation*, taking from him his girdle, and armes, as with thoſe he was created a Souldier. Therefore when any Cleargy man, either willingly, or by the lawes was to returne to ſecular functions, or, for ſome faults, was made ſubject to that Court, the Biſhops did take from him the degree, with the ſame ceremonies with the which hee was inveſted, ſpoiling him of the habits, and taking out of his hand the inſtruments, by the aſsignation of which hee was deputed to the miniſtery. Being apparelled juſt as if hee were to miniſter in his charge, hee was to be ſtripped firſt of that, which was laſt in the ordination, and with contrary words to thoſe that were uſed in the promotion. And this was very uſuall in thoſe firſt times after *Conſtantine*, for three hundred yeeres. But about the yeere ſixe hundred, a cuſtome was brought in, not to permit Cleargie-men of holy Order to returne to the world, and to others it was granted to doe it at their pleaſure; whereupon, by little and little, the *Degradation* of the leſſer was wholy diſuſed, and that of the greater was reſtrained onely to this caſe, when they were to bee made ſubject to the ſecular Court. And *Juſtinian*, regulating the judicature of the Cleargie, after hee had ordained that, in Eccleſiaſticall delicts, they ſhould bee chaſtized by the Biſhops, and in ſecular delicts, which

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he called Civill, by the publique Judge, added that the puniſhment ſhould not bee executed before the party guilty, were diſpoyled of this Prieſthood by the Biſhop. And after that criminall judicature over the Clergy was granted to the Biſhops, the Degradation remained onely when the puniſhment was death, which, in regard of the dignity of their order, the Eccleſiaſtiques would not have inflicted upon a Clergy man. But, in caſes of exorbitant wickedneſſe, it ſeemed that it could not bee denied, without ſcandall; therefore they found a way to doe that indirectly, which directly they could not; ſaying, it was juſt that the offences of the Clergy ſhould bee puniſhed with deſerved death, but the Degradation was firſt neceſſary: which they made ſo difficult, by circumſtances of ſolemnity, that very ſeldome it could bee done. And this procured a greater reverence of the Clericall Order, with whoſe blood juſtice had nothing to doe, if ſo much ſolemnity did not precede. It was juſtly ordered that the Biſhops ſhould not doe it but in publique, apparelled with the holy veſtments, and, which more imported, with the aſsiſtance of twelve Biſhops, in the Degradation of a Biſhop; of ſixe in the Degradation of a Prieſt; of three, in the Degradation of a Deacon, who were to bee preſent in their Pontificall ornaments. And it ſeeming ſtrange, that a Biſhop, who might have a degree without company, could not take it away alone, Pope *Innocentius* the third removed the marvaile, with a maxime, which hath not much probability, ſaying, that temporall buildings are hardly erected, and eaſily pulled downe, but ſpirituall contrarily, are eaſily built, and hardly deſtroyed. The vulgar held the Degradation for a neceſſary thing, and, when it happened, ranne to it, with unſpeakable frequencie. But learned men do know the bottome of it. For having determined, that, in the collation of the Order, a ſigne is imprinted in the ſoule, called a Character, which is impoſsible to blot out, or remove by Degradation, this remaineth a pure Ceremony, performed for reputation onely. In *Germany*, there being but few Biſhops, it could not bee done without immenſe charge, to bring ſo many into one place. And thoſe Dutch Prelates, who were in the Councell, for the moſt part Princes, did know more then others, how neceſſary it is, for examples ſake, to puniſh, with death, the wickedneſſe of Prieſts: wherefore they deſired that proviſion ſhould bee made therein. This particular was much diſcuſſed, and, in the end, it was reſolved not to change the Ceremony by any meanes, but to finde a temper, that the difficulty and the coſt might be moderated.

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The Legat, though every weeke hee had given an account to the Pope of all occurrences, yet he was willing to eſtabliſh in Congregation the draughts of the Decrees, that hee might ſend a copy of them, and receive an anſwer before the Seſsion. Wherefore, the generall Congregation being aſſembled, not making mention of what was written to him from *Rome*, hee made a relation of that which the Earle of *Mountfort* had repreſented, adding that the requeſt for a ſafe Conduct ſeemed reaſonable, and alſo the deferring of whatſoever could bee deferred with honour. For having appointed already to ſpeake of the Euchariſt, the firſt day of September, they could not chooſe but do it; but to omit ſome point more important, and more con-

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troverſed, was a thing which might be granted. And the voyces being collected, all were of opinion, that the ſafe Conduct ſhould be given, but concerning the matter to be handled, ſome thought that it was not for their honour to deferre it, if the Proteſtants did not give ſecurity that they would come to handle it, and ſubmit themſelves to the determination of the Councell. Others ſaid, that their honour was ſaved, if it were done at their requeſt; and this was the more common opinion. Then the Legate added that they might reſerve the matter of miniſtring the Cup to the Laitie: and, to ſhew that they did not come for one Article onely, they might joyne alſo with it the Communion of Children. And order was taken to compoſe the Decree in this particular. Which being read, ſome thought it was too little to reſerve two Articles, and therefore that it was better to divide the firſt into three, and ſo reſerve foure, and to adde the Sacrifice of the Maſſe; the controverſies whereof are great. For ſo it will appeare, that many things are reſerved, and the moſt principall; and in this opinion all did agree. And when it was ſaid that the Proteſtants deſire to bee heard concerning theſe, a Prelate of *Germany* ſtood up, and asked, by whom, and to whom this requeſt was made; becauſe it did much import that this ſhould appeare; otherwiſe when they ſhould ſay it was not true, the honour of the Councell would be much blemiſhed. But there being nothing but what Count *Mountfort* had ſaid as of himſelfe, and that alſo not reſtrained to thoſe foure heads, nor to the matter of the Euchariſt, but in generall of all the Controverſies, they were much troubled how to reſolve. To ſhew that this reſervation was made by their owne motion, beſides that it was an indignity, it did draw an objection upon them, that they ought to reſerve all. This way was found to bee leaſt ill, not to ſay that the Proteſtants make requeſt, but that they deſire to bee heard; whereof there can bee no doubt made, becauſe they have ſaid it upon divers occaſions; and though they meant concerning all the controverſies, yet it is no falſity to ſpeake that of a part, which is ſpoken of the whole number, not excluding the reſt. Some thought that this was to hide themſelves behinde a thread; but yet it did paſſe, becauſe they knew not how to do better. For this cauſe, the matters reſerved being to bee taken out of the Heads of doctrine, and the *Anathematiſmes*, theſe which remained were, for more perſpicuity, divided, and reduced to eleven. When they were to make the Decrees againſt the abuſes, they knew not where to put them. Amongſt thoſe of faith they were not to bee placed, being of Ceremonies and uſes. With thoſe of Reformation they did not agree, in regard of the diverſity of the matter. To ranke them by themſelves was a novity, and did alter the order ſet downe. After a long diſpute it was concluded to omit them now, and after to place them with the Decrees of the Maſſe. The points of the Reformation were accepted without difficulty, having beene already eſtabliſhed by themſelves. There remained the forme of the ſafe Conduct, which was referred to the Preſidents to compoſe, by the help of thoſe who had experience in ſuch things; which aſſiſted the Legate to make that forme paſſe which was ſent him from *Rome*.

A diſpute what points of doctrine are to be handled, untill the comming of the Proteſtants.

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The eleventh of October being come, they went to the Church, as they were wont. The Biſhop of *Majorica* ſang Maſſe, and the Archbiſhop of *Torre* made the Sermon, which was all in the praiſe of the Sacrament of the *Euchariſt*. And other uſuall Ceremonies being performed, the Decree of the doctrine was read by the Biſhops that did celebrate the Maſſe. The ſubſtance whereof was: That the Synod aſſembled to declare the ancient faith, and to remedy the inconveniences cauſed by the Sects, did deſire from the beginning, to roote out the cockle, ſowed in the field of the *Euchariſt*. Therefore, teaching the Catholike doctrine, ever beleeved by the Church, it doth prohibite all the faithfull hereafter to beleeve, teach or preach, otherwiſe then is declared. Firſt, it teacheth that in the *Euchariſt*, after the Conſecration, CHRIST is contained, truly, really, and ſubſtantially, under the appearances of the ſenſible things, notwithſtanding he is in heaven, by a naturall exiſtence; becauſe he is preſent in his ſubſtance in many other places, Sacramentally, in a manner of exiſtence, which is beleeved by faith, and can hardly be expreſſed by words. For all the ancients have profeſſed, that CHRIST did inſtitute this Sacrament in the laſt Supper, when, after the benediction of the Bread and Wine, he ſaid, in cleare and manifeſt words, that he gave his Body and Blood; which having a moſt plaine ſignification, it is great wickedneſſe to wreſt them to imaginary figures, denying the truth of the Fleſh and Blood of CHRIST. Afterwards it teacheth, that CHRIST hath inſtituted this Sacrament in memory of himſelfe, ordaining it ſhould be received as a Spirituall food of the ſoule, as a medicine for our daily faults, a preſervative from mortall ſinne, a pledge of eternall glory, and a ſigne of the Body whereof himſelfe is the Head. And though it be common to this Sacrament with others, to be a ſigne of a ſacred thing, yet it hath this proper to it ſefe, that other having vertue to ſanctifie in the uſe, this doth conteine the author of Sanctity before the uſe. For the Apoſtles had not received the *Euchariſt* from the hand of our Lord, when he ſaid that it was his Body: and the Church hath alwayes beleeved, that the Body of CHRIST is under the bread, and the Blood under the wine, by vertue of the Conſecration; but, by concomitancie, as much is under either of the kindes, and every part of them, as under both; declaring that by the Conſecration of the Bread and Wine, there is made a converſion of their whole ſubſtance into the ſubſtance of the Body and Blood of CHRIST, which converſion the Catholike Church hath called *Tranſubſtantiation*, by a fit and proper terme. Therefore the faithfull doe give the honour of *Latria*, or divine worſhip, due unto God, to this Sacrament, and it hath beene religiouſly inſtituted to make a particular feaſt for it every yeere, and to carry it in proceſſion, in publique places. Likewiſe the cuſtome to keepe it in an holy place is ancient, and hath beene obſerved from the time of the *Nicen* Councell; and to carry it to the ſick is an old cuſtome, being reaſonable beſides, and commanded in many Councels. And if it bee not fit that any holy thing ſhould bee handled without ſanctity, much more none ought to come to this Sacrament without great reverence, and proofe made of himſelfe: which proofe muſt bee, that none having mortally ſinned, though hee be contrite, may receive it, without ſacramentall *Confeſsion*, which the Prieſt alſo, who is to celebrate, ought to obſerve,

A Seſsion is held.

The Decree of doctrine concerning the *Euchariſt*.

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ſo that hee can finde a Confeſſour; and if hee cannot, hee muſt confeſſe immediatly afterward. It doth teach alſo that there be three kinds of receiving the *Euchariſt*. One Sacramentally onely, as ſinners do; another ſpiritually, as thoſe do, who receive it with a lively faith and deſire; the third conteineth both kinds, as thoſe do receive it, who, having proved themſelves, as aforeſaid, do go to the Table. And there is an Apoſtolicall Tradition, and ſo it ought to be obſerved, that the Laity ſhould receive the Communion from the Prieſts, and the Prieſts ſhould Communicate themſelves. In the end the Synod prayeth all Chriſtians to agree in this doctrine. When the Decree was ended, the eleven *Anathematiſmes* were read. 1. Againſt him that ſhall deny that, in the *Euchariſt*, is contained truly, really, and ſubſtantially the Body and Blood with the Soule and Divinity of Christ, that is, whole Christ, and ſhall ſay that he is contained onely as in a ſigne, or figure, or vertually. 2. that in the *Euchariſt* there doth remaine the ſubſtance of the bread and wine with the Body and Blood of Christ, or ſhall deny that admirable converſion of all the ſubſtance of the bread into the body, and of the wine into the blood, there remaining onely the forme; which converſion the Church moſt appoſitely calleth *Tranſubſtantiation*. 3. That, in the Sacrament of the *Euchariſt*, under every kinde, and under every part being ſeparated, all Christ is not contained. 4. That, the Conſecration being made, he is not there, but in the uſe, and neither before nor after, and that he is not in the particles, which remaine after the Communion. 5. That, the principall fruit of the *Euchariſt* is the remiſsion of ſinnes, or that it hath no other effect. 6. That Christ in the *Euchariſt* ought not to be worſhipped with the honour of *Latria*, nor honoured with a particular feaſt, nor carried in proceſsion, nor put in a publique place, to be worſhipped, or that the worſhippers are Idolaters. 7. That it is not lawfull to keep it in an holy place, but that it ſhould be diſtributed to the ſtanders by, or that it is not lawfull to carry it honourably to the ſick. 8. That Christ in the *Euchariſt* is eaten only ſpiritually, and not Sacramentally, and really. 9. That the faithfull being of age, are not bound to communicate every yeere at Eaſter. 10. That it is not lawfull to the Prieſt, who celebrateth, to communicate himſelfe. 11. That faith onely is a ſufficient preparation to receive it: Declaring in the end, that the preparation ought to bee by the meanes of Sacramentall Confeſsion; holding him to bee excommunicate who ſhall teach, preach, affirme pertinaciouſly, or defend in publique diſputation, the contrary.

The *Anathematiſmes*.

The Decree of the Reformation containeth, firſt, a long admonition to the Biſhops, to uſe their juriſdiction moderately, and charitably; then determineth, that in cauſes of viſitation, correction, and inability, and in the criminall, none may appeale from the Biſhop or his Vicar generall; before the definitive, or from an irreparable grievance; and when there ſhall bee place of *Appeale*, and a Commiſsion ſhall be granted *in partibus*, by Apoſtolike authority, it ſhall not bee granted to any but the Metropolitan, or his Vicar; or, in caſe he be ſuſpected, or farre diſtant, or the *Appeale* bee from him, it ſhall not bee granted but to a Biſhop dwelling neere, or a Biſhops Vicar.

The Decree of Reformation.

Vicar. That the defendant appealing, shall be bound to produce in the second instance the acts of the first, which shall bee given him, within thirty dayes, without paying for them. That the Bishop, or his Vicar generall may proceed against any to condemnation, and verball deposition, and may also degrade solemnely, with the assistance of so many Abbats of Miter and postorals, if he can have them, or of so many other Ecclesiasticall dignities, as there are Bishops required by the Canons. That the Bishop as delegate, may summarily take knowledge of the absolution of every one of whom inquisition is made, and of the remission of the punishment of every one that is condemned by him; and if it shall appeare unto him, that sentence hath beene obtained by telling that which is false, or concealing the truth, he may cause it not to bee executed. That a Bishop may not be cited to appeare personally, but for such a cause for which he may be deposed or deprived, by what forme of judgement soever the proceeding be. That testimonies in a criminall cause, against a Bishop, may not be received by information, but by witnesses, and those of good fame, chastising them grievously if they shall depose upon passion: and the criminall causes of the Bishops may not be determined but by the Pope.

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The Decree concerning matters to be deferred untill the comming of the Protestants.

After this another Decree was published; in which the Synod said, That, desiring to extirpate all errours, it had handled foure Articles exactly. 1. Whether it were necessary and commanded by GOD, that all the faithfull should receive the Sacrament under both kindes. 2. Whether hee that receiveth but one, receiveth lesse then hee that receiveth both. 3. Whether the holy Church hath erred in communicating the Laiques with the bread onely, and the Priests who doe not celebrate. 4. Whether children ought to be communicated. But because the Protestants of *Germany*, do desire to be heard concerning these Articles, before the definition, and therefore have demanded a safe Conduct to come, remaine, speak freely, propose and depart, the Synod; hoping to reduce them into the concord of one faith, hope, and charity, by yeelding to them, hath given them publique faith, that is, safe Conduct, as farre as it can, according to the tenour under-written, and hath deferred to define these Articles, untill the twenty five of January the next yeere; ordaining withall, that the Sacrifice of the Masse bee handled in that Session, as a thing annexed, and that in the next, the Sacraments of Penance, and extreme Unction, be discussed.

The tenor of the safe Conduct.

The tenour of the safe Conduct was; That the holy Synod doth, as much as it can, grant publike faith, full security, that is, safe Conduct, with all necessary and fit clauses, though they require a speciall expression, to all Ecclesiasticall and Secular persons of *Germany*, of what degree, state, or quality soever, who will come to this generall Councell, that they may with all liberty, conferre, propose, treat, come, remaine, present Articles, by writing or by word, conferre with the Fathers deputed by the Synod, and dispute without injury and ill words, and depart when they please. And the Synod is further pleased to grant, that if, for their greater liberty and security, they shall desire, that Judges bee deputed for the offences which they have committed, or shall commit, though they be enormous, and savour of heresie, they may name those that they shall esteeme favourable. After this, the

The Ambassage of the Elector of *Brandeburg*.

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Mandate of *Joachim*, Elector of *Brandeburg*, was read, in the perſons of *Chriſtoper Straſſen*, a Lawyer, and *John Oſman*, his Ambaſſadours, ſent to the Councell. The former made a long Oration, ſhewing the good affection and reverence of his Prince, toward the Fathers, without declaring what his opinion was in point of Religion. The Synod anſwered, (that is, the Speaker in its name) that it heard with great content, the Ambaſſadours diſcourſe, eſpecially in that part, where that Prince doth ſubmit himſelfe to the Councell, and promiſeth to obſerve the Decrees, hoping that his deeds will be anſwerable to his words. But the Propoſition of thoſe of *Brandeburg* was noted by many, becauſe the Electour was of the *Auguſtane* confeſsion, and it was openly known, that his intereſts did move him to make ſuch a faire ſhew, that his ſon *Frederick*, elected Archbiſhop of *Magdeburg* by the Canons, a Benefice, unto which a very great and rich principality is annexed, might not be hindered at *Rome*, and by the Catholiques in *Germany*.

An artifice uſed by the Councel, often practiſed by the Church of *Rome*.

The anſwer which the Councell gave, was much marvelled at, in regard of the faire and advantagious manner of contracting, pretending ten thouſand by vertue of the promiſe, when the bargaine was but of ten. For there is no more proportion betweene theſe two numbers, then was betweene the reverence promiſed by the Electour, and the obedience received by the Synod. It was replyed for defence, that the Councell did not regard what was, but what ſhould have beene ſaid, and that this is an uſuall and pious allurement of the holy Church of *Rome*, which, yeelding to the infirmity of her children, maketh ſhew to beleeve, that they have performed their duty. So the Fathers of the Councell of *Carthage*, writing to *Innocentius* the firſt, to give him an account, that they had condemned *Celeſtinus* and *Pelagius*, deſiring him to conforme himſelfe to their declaration, hee commended them in his anſwer, that, remembring the old Tradition, and Eccleſiaſticall diſcipline, they had referred all to his judgement, whence all ought to learne, whom to abſolve, and whom to condemne. And indeed, this is a faire gentle meanes, to make men ſpeak that in ſilence, which they will not in words. Afterwards, according to the intimation, made to the Abbat of *Belloſana*, to give him then an anſwer to the Letters, and *Proteſtation* of his Maſter, they made the *Apparitors* demand, by Proclamation, at the Church doore, whether any were there for the moſt Chriſtian King. But no man appearing, becauſe it was ſo concluded by the Kings Councell, not to enter into the conteſtation of the cauſe, eſpecially for that they could expect no anſwer, but made at *Rome*, by the Pope and the Spaniards, the ſpeaker did deſire, that the anſwer decreed, might be read publikely; and ſo it was, by conſent of the Preſidents.

The anſwer of the Councell made to the Abbat of *Belloſana*.

The ſubſtance of it was; That the Fathers conceiving great hope of the favours of the King, were exceedingly grieved for the words of his Miniſter, which did much abate it; yet they had not quite loſt it, in regard they were not conſcious of having given him any cauſe of offence: and, for that hee ſaid, the Councell was aſſembled for the profit of ſome few, and for private ends, it had no place in them, who were aſſembled, not by the preſent Pope onely, but by *Paulus* the third, to extirpate hereſies, and reforme diſcipline, then which cauſes none can bee more common

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mon and pious: praying him to let his Biſhops goe to aſsiſt this holy worke, where they ſhall have all liberty. And if his Miniſter, a private perſon, who brought unto them things diſtaſtfull, was heard with patience and attention, how much more welcome ſhall perſons be of ſo great dignity. Adding withall, that though they come not, the Councell will not want reputation or authority, having beene lawfully called, and, for juſt cauſes, reſtored. And, for that his Majeſty did proteſt to uſe the wonted remedies of his Anceſtors, the Synod had good hope, that he would not reſtore the things long ſince abrogated, to the great benefit of that Crowne, but looking back upon his Anceſtors, on the name of the moſt Chriſtian King, and on his Father *Francis*, who did honour that Synod, following that example, he will not be unthankfull to GOD, and the Church his mother, but will rather pardon private offences, for publike cauſes.

The Decrees are cenſured in *Germany*.

The Decrees of the Seſsion were immediatly printed; which, being curiouſly read in *Germany*, and elſe-where, raiſed much ſpeech in many things concerning the Euchariſt. Firſt, becauſe treating of the manner of the exiſtence, it ſaid, that it could hardly be expreſſed in words, and yet affirmeth after, that it is properly called *Tranſubſtantiation*; and, in another place, that it is a moſt fit terme: which being ſo, one cannot doubt but that it may be properly expreſſed. It was further noted, that having declared that CHRIST, after the benediction of Bread and Wine, ſaid, that that which he gave, was his Body and Blood; it came to determine, againſt the opinion of all the Divines, and of the whole Church of *Rome*, that the words of conſecration were not thoſe; that is, this is my body, becauſe it doth affirme that they were ſpoken after the conſecration, but to prove that the body of our LORD is in the Euchariſt before the uſe, becauſe CHRIST, in giving of it, ſaid, before it was received by his Diſciples, it was his Body, did ſhew that they did preſuppoſe, that the giving of it did not belong to the uſe; the contrary whereof was apparantly true. The manner of ſpeech uſed in the fifth point of doctrine, ſaying that divine worſhip was due to the Sacrament, was noted alſo for improper, ſeeing it is certaine, that the thing ſignified or conteined, is not meant by the Sacrament, but the thing ſignifying and containing: and therefore it was well corrected in the ſixth Canon, which ſaid, that the ſonne of GOD ought to be worſhipped in the Sacrament. That alſo in the third *Anathematiſme* was noted, that all CHRIST was in every part, after the ſeparation, becauſe it ſeemeth one may neceſſarily inferre from hence, that it was not in every part before the diviſion.

The Prieſts complaine of the reformation.

The Prieſts complained of the reformation, and ſaid, that the Biſhops authority was made too great, and the Clergy brought into ſervitude. But the Proteſtants ſeeing the point where it was ſaid, that they deſired to bee heard in foure Articles onely, did much wonder who ſhould make that requeſt in their name, ſeeing they had ſaid, and repeated ſo often, in publique Diets, and by publique writings, that they deſired a diſcuſsion of all the controverſies, nor would receive any of thoſe things which were already determined in *Trent*, but would have all to bee re-examined. They thought alſo that the forme of the ſafe Conduct was very captious, becauſe as well in the Decree to grant it, as in the tenour thereof, there was this clauſe of reſervation, as farre

The Proteſtants diſlike the reſervation of the points of doctrine. And the forme of the ſafe Conduct.

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as belongeth to the Synod: for no man demandeth of another, but that which belongeth to him to grant. But this affected diligence to expreſſe and repeat it, was a ſigne that they had invented a meanes to go againſt it, and to excuſe themſelves upon others. And they doubted not but that the aime of the Synod was to leave a gate open for the Pope, that hee might do with his owne and the Councels honour, what he thought ſerviceable for them both. Beſides, the treating to depute Judges for things heretically committed, or to be committed, ſeemed to them a kinde of net, to catch thoſe that were unwary; and even the very Pedants did laugh at it, that the principall verb was more then an hundred and fifty words diſtant from the beginning. The Proteſtants did uniformely agree not to be content with it, or truſt upon it, but to deſire another; juſt like that which was given by the Councell of *Baſil*, to the *Boheminans*; which if it were granted, they did obtaine one great point, that is, that the controverſies ſhould be decided by the holy Scripture, and if it were not granted, they might excuſe themſelves with the Emperour.

The day following the Seſsion, there was a generall Congregation, to ſet downe how to treat of Penance and extreme Unction, and to continue the reformation. It was conſidered, that the manner of diſcuſsion preſcribed, was exceeded by the Divines, whence contentions did ariſe, for which they could not bee united againſt the Lutherans: and therefore it was thought neceſſary to renew the Decree, and not ſuffer any to uſe the reaſons of the ſchools, but to cauſe them to ſpeake poſitively, and alſo to obſerve the order, which they thought fit to eſtabliſh againe, as well becauſe the not obſerving of it had bred confuſion, as becauſe the *Flemings* did complaine that none account was made of them, as did alſo the Divines which came with the Prelates of *Germany*. To handle Penance, and extreme Unction, was decided already, and ſome thing was ſaid in matter of reformation, and Prelats were deputed, who, with the *Nuncio* of *Verona*, were to make the Articles in matter of faith, and, with the *Nuncio* of *Siponto*, in matter of reformation. In matter of faith twelve Articles were framed upon the Sacrament of Penance, drawne *Verbatim* out of the Book of *Martin*, and of his Schollers, to be diſputed by the Divines, whether they were to bee held for hereticall, and condemned for ſuch; which, in framing the *Anathematiſmes*, after the Divines had given their voyces, were ſo changed, that no jot of them remaining, it is ſuperfluous to recite them. To theſe Articles were added 4. more of extreme Unction, anſwerable, in all points, to the foure *Anathematiſmes* eſtabliſhed. In the ſame page where the Articles were ſet downe, three Decrees were added. That the Divines ought to give their opinions out of the holy Scripture, Traditions of the Apoſtles, holy Councels, Conſtitutions, and authorities of Popes and holy Fathers, and out of the conſent of the Catholique Church. That the order of ſpeaking ſhould be thus: that firſt they ſhould ſpeake who were ſent by the Pope: ſecondly, thoſe who were ſent by the Emperour: thirdly, thoſe of *Lovaine*, ſent by the Queene: fourthly, thoſe Divines who came with the Electors: fiftly, the Secular Clergy men, according to their promotions: ſixtly, the Regulars, according to their orders. That there ſhould be two congregations every day, one in the morning from the foure-

Three Decrees are made concerning the manner of proceeding in Councell.

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teenth houre, untill the ſeventeenth; another in the afternoone from the twentieth houre untill the three and twentieth. The Articles of Reformation were in number fifteene, all which anſwered the points which were after eſtabliſhed, except the laſt; in which a propoſe was made, to conſtitute, that Benefices ſhould not be given in *Commenda*, but to perſons of the ſame age, which the law required in thoſe who might have them in title: which Article, when it was ſpoken of, was eaſily buried in ſilence, becauſe it hindered many Prelats to renounce their Benefices to their Nephewes. 1551 JULIUS 3 CHARLES 5 EDWARD 6 HENRY 2.

The Pope, who (as hath been ſaid) wrote letters to the Catholique Suiſſes, inviting them to the Councell, did ſtill make the ſame inſtance unto them, by his *Nuncio*, *Jeronimus Francus*, wherein alſo he was aſsiſted by the Emperour. The French King did oppoſe, by his Ambaſſadour, *Morleus Muſa*, aſsiſted by *Vergerius*, who, knowing the ſecrets and ends of the Romanes, told him how he ſhould perſwade that nation, and wrote alſo a Book in this ſubject; ſo that in the Diet of *Bada*, which then was held, not onely the Evangelicall, but the Catholique Suiſſes alſo were perſwaded not to ſend any; and the Griſons entring into ſuſpicion upon the advertiſements of *Vergerius*, that the Pope did plot ſomething to their prejudice, did recall *Thomas Planta* Biſhop of *Coira*, who was already in the Councell.

Vergerius diſcovereth the ſecret ends of the Romaniſts to the Suiſſes and Griſons.

In *Trent* the Congregations of the Divines were diligently haſtened: who, though they ſpake according to the order of the twelve Articles, yet all the matter of Penance was handled, not as the Schoole-men only, but alſo as the Canoniſts do handle it, following *Gratian*, who maketh a queſtion thereof, divided, for the length of it, into ſixe diſtinctions: and the manner preſcribed by the Preſidents, to deduce and prove the concluſions from the five places aforeſaid, cauſed not prolixity, ſuperfluity, and unprofitable and vaine queſtions to bee avoided, but gave occaſion of greater abuſes. For when they ſpake Scholaſtically, they kept themſelves within the matter at the leaſt, and the diſcourſe was all ſerious and ſevere. But in this new manner, which they call *poſitive* (an Italian word, drawne from plaine apparell, without ſuperfluous ornaments) they ranne into fooleries. For, alleadging the Divine Scripture, they brought all the places of the Prophets, and Pſalmes, eſpecially where the word, *Confiteor*, and, its verball, *Confeſsio*, are found, which doth ſignifie in the Hebrew, prayſe, or rather, religious profeſsion, and haled them to the Sacrament of Confeſsion: and, which was leſſe to the purpoſe, figures were drawne from the old Teſtament, to ſhew that it was prefigured, without any regard whether it might bee applyed to it with ſimilitude; and hee was held moſt learned who brought moſt of them. All the rites ſignifying humility, griefe, and repentance, uſed by thoſe who confeſſed, were boldly called Apoſtolicall Traditions. Innumerable miracles were related, ancient and moderne, concerning things which ſucceeded well to thoſe who were devoted to Confeſsion, and ill, to thoſe who were negligent, and deſpiſers of it. All the authorities alleadged by *Gratian* were often recited, but various and divers ſenſes given them, according to the matter; and others alſo were added. And hee that ſhould have heard thoſe Doctours ſpeake, could not but conclude, that the Apoſtles

The manner of diſcuſſing the points of doctrine is cenſured.

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Apoſtles, and ancient Biſhops did never any thing but kneele at Confeſsion, or ſit to confeſſe others. In ſumme, that, to which all did come, and which was moſt to the purpoſe, was the Councell of *Florence*. Among the memorials, there doth nothing appeare worthy of particular mention, except that which is to be ſpoken of when the ſubſtance of the doctrine muſt bee recited. But thus much was neceſſary to be delivered. Out of theſe ſheaves of divers ſorts of corne, carried into the barne, it is no marvell if a mingled griſt were threſhed. The points of doctrine, by reaſon of the mixture, did abſolutely pleaſe but few; neither was it obſerved in this ſubject, as in others, not to condemne any opinion of the Catholikes, but, where the opinions of the Divines were various, to make the expreſsion with ſuch a temper, that all parties might be ſatisfied. Which cauſeth me not to obſerve my former order, but firſt to expound the ſubſtance of the Decree, as it was eſtabliſhed to be read in the Seſsion, and then to adde that which the ſame perſons of the Councell did not approve.

The Decree concerning *Penance*.

The Decree was this: That although, in handling *Juſtificacion*, much was ſpoken of the Sacrament of *Penance*, yet, to root out divers hereſies of this age, it was fit to illuſtrate the Catholike truth, which the holy Synod doth propoſe to be perpetually obſerved, by all Chriſtians; adding that *Penance* was alwaies neceſſary, in every age of the world, and, after CHRIST, to thoſe alſo who were to be baptized; which *Penance* is not a Sacrament. There is another inſtituted by CHRIST, when, breathing upon his Diſciples, he gave them the holy Ghoſt, to remit and retaine ſinnes, that is, to reconcile the faithfull, fallen into ſinne after Baptiſme. For ſo the Church hath alwayes underſtood it; and the holy Synod doth approve this ſenſe of the words of our Lord, condemning thoſe who underſtand them of the power to preach the Goſpel. And this Sacrament differeth from *Baptiſme*, not onely in the matter and forme, but alſo becauſe the miniſter of *Baptiſme* is not Judge, whereas, after *Baptiſme*, the ſinner doth preſent himſelfe before the tribunall of the Prieſt, as guilty, to be ſet at liberty, by his Sentence. And, by *Baptiſme*, a full remiſsion of ſinnes is received, which is not received by *Penance*, without ſighes and paines. And this Sacrament is as neceſſary for ſinners after *Baptiſme*, as Baptiſme it ſelfe is to him that hath not received it. But the forme thereof conſiſteth in theſe words of the miniſter; I do abſolve thee: unto which other prayers are laudably added, though they bee not neceſſary. And *Contrition*, *Confeſsion*, and *Satisfaction*, are, as it were, the matter of the Sacrament, which are therefore called parts of *Penance*. The thing ſignified, and the effect of the Sacrament, is, reconciliation with God, whence peace and cleareneſſe of conſcience do ſometimes ariſe. And therefore the Synod doth condemne thoſe who make horror of conſcience and faith to bee parts of *Penance*. *Contrition* is griefe of minde for ſinne committed, with purpoſe to ſinne no more, and was ever neceſſary in all times; but in ſinners, after *Baptiſme*, it is a preparation to remiſsion of ſinnes, being joyned with a purpoſe to doe whatſoever elſe is required, for the lawfull receiving of this Sacrament. And it is not onely a ceaſing from ſinne, or a purpoſing and a beginning of a new life, but alſo an hate of the life paſt. And though *Contrition* bee ſometimes joyned with charity, and reconcileth a man to GOD, before the receiving of the Sacrament, yet this vertue,

tue cannot be aſcribed to it, without purpoſe to receive the ſaid Sacrament of *Penance.* But the action which ariſeth, either by reaſon of the filthineſſe of ſin, or of the feare of puniſhment, with hope of pardon, is not hypocriſie, but the gift of God, by which the penitent being aſsiſted, doth go on to receive Juſtice; which although it cannot bring us to juſtification without the Sacrament, yet it doth diſpoſe us to obtaine grace from God, in the Sacrament of *Penance.* By this, the Church hath ever underſtood that Christ hath inſtituted the entire confeſsion of ſinnes as neceſſary, by the Law of God, to thoſe that fall after Baptiſme. For having inſtituted the Prieſts, his Vicars, for Judges of all mortall ſinnes, it is certaine that they cannot exerciſe this judgement, without knowledge of the cauſe, nor obſerve equity in impoſing puniſhment, if the ſinnes be not particularly made knowne unto them, and not in generall onely. Therefore the penitent ought in *Confeſsion,* to declare all his mortall ſinnes, even the moſt ſecret; but the veniall, though they may bee confeſſed, yet they may be concealed alſo without offence. And hence it commeth, that, in *Confeſsion,* it is neceſſary to explicate the circumſtances, which alter the nature of the ſinne, becauſe otherwiſe, one cannot judge of the weight of the exceſſes, and impoſe a condigne puniſhment. So that it is wickedneſſe to ſay, that this kinde of *Confeſsion* is impoſsible, or that it is the murdering of the conſcience, becauſe nothing is required but that the ſinner, having diligently examined himſelfe, ſhould confeſſe what hee remembreth, and the ſinnes forgotten are ſuppoſed to bee included in the ſame *Confeſsion.* And though Christ hath not forbid publique *Confeſsion,* yet hee hath not commanded it; neither would it bee good to command that ſinnes, eſpecially ſecret, ſhould bee confeſſed in publique. Wherefore the Fathers, having ever prayſed the Sacramentall ſecret *Confeſsion,* the calumny of thoſe is vaine, who call it an humane invention, excogitated by the *Laterane* Councell; which did not ordaine *Confeſsion,* but onely that it ſhould be made at the leaſt once every yeere. Concerning the Miniſter, the Synod doth declare thoſe doctrines to bee falſe, which extend to all the faithfull, the miniſtery of the keyes, and the authority given by Christ to binde and looſe, remit and retaine publique ſinnes by correction, and ſecret by voluntary *Confeſsion,* and teacheth that the Prieſts, though ſinners, have authority to remit ſinnes; which is not a naked miniſtery, to declare that ſinnes are remitted, but a judiciall act. Therefore let no man ground himſelfe upon faith, thinking that, without contrition, and a Prieſt, who is willing to abſolve him, hee can have remiſſion. But becauſe there is a nullity in the ſentence, pronounced againſt him who is not ſubject, there is alſo a nullity in the abſolution of the Prieſt, who hath not authority, delegate, or ordinary, over the penitent: and the greater Prieſts do, with reaſon, reſerve to themſelves ſome faults more grievous, and ſo doth the Pope very juſtly; and there is no doubt, but that every Biſhop may do it in his Dioceſſe. And this reſervation is not onely for externall policie, but is alſo of force before God. Therefore it was alwayes obſerved in the Church, that, in the houre of death, any Prieſt may abſolve any penitent, from any ſinne. Of ſatisfaction the Synod doth declare, that the ſinne being remitted, the puniſhment is not pardoned, it being not convenient,

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nient, that he ſhould be ſo eaſily received into Grace, who hath ſinned before Baptiſme and after, and be left without a bridle, which may draw him from other ſinnes: yea, it is convenient hee ſhould be like to Christ, who ſuffering puniſhments did ſatisfie for us, from whom our ſatisfactions alſo receive force, as offered by him to the Father, and received by his interceſsion. Therefore the Prieſts ought to impoſe convenient ſatisfactions, not onely to keepe the penitent from new ſins, but alſo to chaſtiſe him for the old: declaring likewiſe that ſatisfaction is made, not onely by puniſhments, willingly received, or impoſed by the Prieſt, but by enduring alſo, with patience, the ſcourges ſent from God.

15. *Anathematiſmes.*

In conformity of this doctrine, fifteene *Anathematiſmes* were made. 1. Againſt him that ſhall ſay, that Penance is not truly and properly a Sacrament, inſtituted by Christ, to reconcile ſinners after Baptiſme. 2. That Baptiſme is Penance, or that is not the ſecond table or bord after ſhipwracke. 3. That the words of Christ, *Quorum remiſeritis peccata*, are not underſtood of the Sacrament of Penance, but of the authority to preach the Goſpell. 4. That *Contrition*, *Confeſsion*, and *Satisfaction*, are not required for, as it were, the matter, and as parts of *Penance*; or ſhall ſay that the terrours of conſcience and faith are parts. 5. That Contrition is not profitable, but cauſeth hypocriſie, and is a forced, and not a free ſorrow. 6. That Sacramentall *Confeſsion* is not inſtituted, and neceſſary by the law of God, or that the manner of confeſsing to the Prieſts in ſecret, is an humane invention. 7. That it is not neceſſary to confeſſe all mortall ſinnes, even thoſe that are hidden, and the circumſtances which do change the nature of them. 8. That this is impoſsible, or that all are not bound to confeſſe once a yeere, according to the precept of the Lateran Councell. 9. That the Sacramentall abſolution is not a judiciall act, but a miniſtery, to declare the remiſsion of ſinnes to the beleever, or that an abſolution given in jeſt doth help, or that the confeſsion of the penitent is not requiſite. 10. That Prieſts in mortall ſinne, have not power to binde and looſe, or that all the faithfull have it. 11. That Biſhops have not authority to reſerve caſes, but for externall policy. 12. That all puniſhment is remitted together with the fault, and that no other ſatisfaction is required but faith, that Christ hath ſatisfied. 13. That *Satisfaction* is not made by ſuffering afflictions ſent by God, by puniſhments impoſed by the Prieſts, and willingly taken, and that the beſt *Penance* is onely a new life. 14. That *Satisfactions* are not divine worſhip, but humane traditions. 15. That the keyes of the Church are onely to looſe, and not to binde.

Some of which are oppoſed by the Divines of *Louvaine* and *Collen.*

The Divines of *Lovaine* oppoſed the reſervation of caſes, ſaying it was not ſo cleere, becauſe it cannot bee found that any Father did ever ſpeake of it; and that *Durand*, who was a *Penitentiarie*, and *Gerſon* and *Cajetan* doe all affirme, that not ſinnes, but cenſures are reſerved to the Pope: and therefore that it was too rigid, to eſteeme him an heretique who thought otherwiſe. The Divines of *Collen* joyned with them, and ſaid plainely, that it could not bee found that any Ancient did ſpeake of any reſervations, but of publique ſinnes, and that it was not fit to condemne the Chancellour of *Paris*, ſo pious and Catholique an Author, who wrote againſt them. That the hereticques

tiques were wont to ſay, that theſe reſervations were inverted for gaine; as alſo Card. *Campeggio* ſaid, in his reformation, and that it gave him occaſion to write againſt it; unto which the Divines would nor have anſwered, nor been able to anſwer. 1551 Julius 3 Charles 5 Edvvard 6 Henry 2.

And therefore as well the doctrine as the *Canon*, ought to be moderated, that it may not give ſcandall, nor offend any Catholike. The ſame men of *Collen* ſaid, that the meaning of the words, *Quorum ligaveritis*, condemned in the tenth Canon, is expreſly, and formally ſo underſtood by *Theophilact*, and that to condemne it were to make the enemies rejoyce. And that which was ſaid in the laſt, that the power to bind, is underſtood to impoſe *Penance*, they obſerved that the ancient Fathers did not ſo underſtand it, but that to bind was to make one abſtaine from receiving the Sacraments, untill a complete ſatisfaction. They demanded alſo that mention ſhould be made of publike *Penance*, ſo much commended by the Fathers, eſpecially by *Cyprian*, and Saint *Gregory* the Pope; who, in many Epiſtles, ſheweth it to be neceſſary by the Law of God; which if it be not brought againe into uſe concerning hereticks and publike ſinners, *Germany* will never be free: and yet the Decree, as well in the doctrine, as the Canons, doth not onely not ſpeak in favour of it, but rather doth weaken it, and detract from it. They deſired alſo that ſome certaine externall ſigne ſhould be declared for the matter of the Sacrament; for otherwiſe the objection of the adverſaries will never be anſwered.

And others by the Franciſcans, and by Friar *Ambroſius Pelargus.*

Two things did exceedingly diſpleaſe the Franciſcan Divines: the one for having declared Contrition, Confeſsion, and Satisfaction to bee the matter of the Sacrament, holding them to be neceſſary requiſites, but not eſſentiall parts of Penance. They ſaid it was plaine, that the matter ſhould bee a thing applyed to the receiver, by the Miniſter; and not an operation of the receiver himſelfe. That this appeareth in all Sacraments; and therefore that it is a great inconvenience to put the acts of the Penitent for part of the Sacrament. That it is certaine that Contrition is no leſſe required to Baptiſme, then it is to Penance; and yet it is not put for part of Baptiſme. That the ancients did require confeſsion of ſinnes before Baptiſme, as alſo Saint *John* did, of thoſe whom he baptized, and they made thoſe that were Catechiſed to ſtand in Penance; and yet never any ſaid, that theſe were parts or matters of Baptiſme. Therefore to condemne this opinion, held by the ancient Divines of the Franciſcan Religion, and now by the whole Schoole of *Paris*, was to paſſe their limits. They complained alſo that it was made hereſie to ſay, that Sacramentall Abſolution is declarative, becauſe Saint *Ierome*, the Maſter of the Sentences, S. *Bonaventure*, and almoſt all the Schoole Divines have cleerely ſaid, that the Abſolution in the Sacrament of Penance, is a declaration that one is abſolved. To this laſt, anſwer was made, that he was not abſolutely condemned for an heretick, who ſaid that Abſolution is a declaration, that ſinnes are remitted, but that ſinnes are remitted to him that doth certainely beleeve that they are remitted to him: therefore onely the opinion of *Luther* was comprehended. But they were not ſo ſatisfied, ſaying, that, in handling of hereſie, one ſhould ſpeak plainely, and that no man would make ſuch an expoſition of it: and they demanded, that, as well in the

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point of doctrine, as in the *Anathematiſme*, this particular ſhould be well declared. But Friar *Ambroſius Pelargus*, a Divine of the Elector of *Triers*, conſidered, that the words of our Lord, *Quorum remiſeritis*, were perhaps not expounded by any Father, for an inſtitution of the Sacrament of Penance, and that by ſome they were underſtood of Baptiſme, by others, of any other thing, by which pardon of ſins is received. Therefore to reſtraine them onely to the Sacrament of Penance, and to declare them hereticks who underſtand them otherwiſe, would give a great advantage to the adverſaries, and cauſe them to ſay, that the ancient doctrine of the Church was condemned in the Councell. Therefore he exhorted them, before they made ſuch a great ſtride, to look upon the expoſitions of the Fathers, and, when thoſe were examined, to determine what ſhould be ſaid. Many of the Fathers thought the remonſtrances to bee very conſiderable, and deſired that the Deputies would conſult againe, as they had done before, upon other occaſions, to remove whatſoever gave offence to any, and ſo to frame the Decree, as that every one might approve it.

But all of them are croſſed by Card. *Creſcentius*.

But Cardinall *Creſcentius* oppoſed with a continuate ſpeech, ſhewing that to take the ſinewes and ſoule from the Decrees, to ſatisfie the humours of particular men, was not honourable for the Synod. That they were maturely eſtabliſhed, and therefore it was fit to obſerve them. Yet, if his opinion did not pleaſe all, he was content, that, before any thing elſe were done, this generall ſhould bee handled in a Congregation, whether it were good to make a change or not, and then to deſcend to the particulars. But in this hee did not fully diſcover what his aime was, which afterwards he did manifeſt to his Colleagues, and truſty friends: that they ſhould not ſuffer the uſe of contending and ſpeaking ſo freely; which would bee dangerous when the Proteſtants came, becauſe they would do as much, in favour of their owne opinions. That, for the honeſt and reaſonable libertie of the Councell, it ſufficeth that one may deliver his opinion, while the matter is diſputed; but after, when all men have beene heard, the Decrees framed by the Deputies, allowed by the Preſidents, ſeene, examined, and approved at *Rome*, to call them into queſtion, and to require an alteration, for particular intereſts, was too much licence. The Cardinall overcame, at the laſt, the major part of the Fathers, being perſwaded that the doctrine eſtabliſhed was according to the opinion of the moſt intelligent Divines, and moſt oppoſite to the Lutheran novities.

But becauſe almoſt all is ſpoken that concerneth matter of faith, in that Seſsion, it will not bee amiſſe to adde that little which remaineth, touching the Sacrament of extreme Unction. Of which the Divines ſpake with the ſame prolixitie, but without any difference amongſt themſelves. And out of their opinions three points of doctrine, and foure *Anathematiſmes* were framed. The doctrine contained in ſubſtance, That the Unction of the ſicke, is truly and properly a Sacrament, inſinuated, by CHRIST our Lord, in S. *Marke*, and publiſhed by the Apoſtle S. *James*: from whoſe words the Church did learne, by an Apoſtolicall tradition, that the oyle, bleſſed by the Biſhop, is the matter, and the words uſed by the Miniſter, is the forme of the Sacrament; but the thing contained and the effect, is the grace of the holy

The Doctrine concerning extreme Unction.

holy Ghoſt, which purifieth the reliques of ſin, and raiſeth up the minde of the ſick, and ſometimes, when it is profitable for the ſoule, giveth health of body. The miniſters of the Sacrament are the Prieſts of the Church, the word πρεσβύτερος being not underſtood for ancients, but for Prieſts. And this *Unction* ought principally to be given to thoſe who are at the point of death, who being recovered, and returned to the ſtate of ſickneſſe, may receive it againe. And therefore an *Anathema* is pronounced, 1. Againſt him that ſhall ſay that extreme *Unction* is not truly and properly a Sacrament, inſtituted by CHRIST. 2. That it doth not give grace, nor remit ſins, nor eaſe the ſick, but is ceaſed, as that which did formerly belong to the grace of health. 3. That the rite uſed by the Church of *Rome*, is contrary to the ſaying of S. *Iames*, and may be neglected without ſin. 4. That the Prieſt only is not the miniſter, and that S. *Iames* did underſtand the ancients for age, and not the Prieſts, ordained by the Biſhop.

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But if any marvell why it is ſaid in the firſt head of the doctrine, that this Sacrament is inſinuated by CHRIST our Lord in Saint *Marke*, and publiſhed in Saint *Iames*, whereas the antecedence, and conſequence of the words did require, that it ſhould not be ſaid, inſinuated, but, inſtituted, he may know that it was firſt ſo written; but a Divine having obſerved, that the Apoſtles, who anoynted the ſicke, of whom Saint *Marke* ſpeaketh, were not Prieſts, becauſe the Church of *Rome* holdeth, that Prieſthood was conferred upon them onely in the laſt Supper, it ſeemed a contradiction, to affirme, that the *Unction* which they gave, was a Sacrament, and that Prieſts onely are miniſters of it. Whereunto ſome, who held it to be a Sacrament, and at that time inſtituted by CHRIST, did anſwer, that CHRIST commanding them to miniſter the *Unction*, made them Prieſts concerning that act onely. As if the Pope ſhould command a ſimple Prieſt to give the Sacrament of *Chriſme*, hee made him a Biſhop for that act. Yet it was thought too dangerous to affirme it abſolutely. Therefore, in ſtead of the word *Inſtitutum*, they put *Inſinuatum*. Which word what it may ſignifie in ſuch a matter, every one may judge who underſtandeth what *Inſinuare* is, and doth apply it to that which the Apoſtles then did, and to that which was commanded by Saint *Iames*, and to the determination made by this Councell.

14. Articles of reformation are handled, in which the Preſidents of the Synod & the Biſhops have divers ends.

But in matter of reformation, as hath beene ſaid, fourteene Articles were propoſed, all belonging to Epiſcopall juriſdiction: whereof when they had underſtood the opinion of the Canoniſts in the particular Congregations, and read all in the generall, they came to frame the Decree. Herein the ayme of the B B. was to increaſe their authority, and to recover that which the Pope had uſurped from them, and of the Preſidents, to grant as little as they could. But both parties did proceed cunningly, and made ſhew to regard onely the ſervice of God, and the reſtitution of the ancient Eccleſiaſticall diſcipline. The Biſhops thought they were hindered in executing their office. For when they did ſuſpend any from exerciſe of their Orders, or Eccleſiaſticall degrees, and dignities, for cauſes knowne to themſelves, or did refuſe to let them paſſe to higher degrees, all was retracted, by a Licence or Diſpenſation gotten at *Rome*: which cauſed a diſ-reputation of the Biſhops, damnation of ſoules, and a totall ruine of diſcipline. Concerning this, the firſt head was

1551 made, that ſuch Licences and Reſtitutions ſhould not be of force. But the
Julius 3 Preſident for the honour of the Apoſtolike Sea, would not have the Pope
Charles 5 named, nor the chiefe *Penitentiarie*, nor any miniſters of the Court, from
Edvvard 6 whom ſuch Licences were wont to be obtained. The titular Biſhops did alſo
Henry 2. hinder them; who being deprived, by a Decree publiſhed in the ſixth Seſſi-
on, of power to exerciſe the pontificall office in the Dioceſſes without leave of
the proper Biſhop, did retire themſelves, into a place exempt from all Biſho-
prickes, admitting thoſe to holy orders who were before rejected, as unfit, by
their owne Biſhops; which they did, by vertue of a priviledge to ordaine
any that offered himſelfe unto them. This was prohibited in the ſecond head,
but with this moderation, that, for reverence of the Apoſtolike Sea, mention
ſhould not be made, who granted the priviledge. And conſequently in the
third head, power was given to the Biſhops to ſuſpend, for what time they
pleaſed, any one ordained without their examination, or with licence, by fa-
culty given by whomſoever. Theſe things the wiſer ſort of Biſhops knew
344. to bee of ſmall weight, becauſe the Canoniſts do hold that Licences, Privi-
ledges, and Faculties granted by the Pope, are never comprehended in generall
words, without ſpeciall mention be made of them. But not being able to
obtaine more, they were content with this, hoping that time might open
them a way to proceed further.

It was alſo decreed in the ſame ſixth Seſſion, that no ſecular Clerk, by ver-
tue of perſonall Priviledge, nor Regular, dwelling out of the Monaſtery, by
vigour of the Priviledge of his order, ſhould be exempt from the correction of
the Biſhop, as Delegate of the Apoſtolique Sea. Which ſome thinking not
to containe the Canons of Cathedrall Churches, and other Collegiate digni-
ties, who, not by priviledge, but by ancient cuſtome, or by ſentences put in ex-
ecution, or by Concordates with the Biſhops eſtabliſhed and ſworne, were in
poſſeſsion of not being ſubject to Biſhops, and others alſo reſtraining it onely
to viſitation, it was ordained in the fourth head, that, concerniug ſecular
Clerks, it ſhould be extended to all times, and all ſorts of exceſſes, and decla-
red that none of the things aforeſaid ſhould withſtand.

Another diſorder as great did ariſe, becauſe the Pope did graunt a Judge,
at the election of the ſupplicant, to whoſoever did ſeeke it by the ordinary
meanes uſed in Court, with authority to defend, protect, and maintaine
him in poſſeſsion of his rights, and to remove the moleſtation given him,
extending alſo this favour to all his domeſtiques. And this ſort of Judges
were called *Conſervators*; who did ſtretch their authority, in place of defen-
ding the ſupplicant from moleſtations, to withdraw him from juſt correcti-
ons, and alſo, at their inſtance, to moleſt and trouble the Biſhops, and other
ordinary Eccleſiaſticall ſuperiours, with cenſures. The fifth point made
proviſion againſt this diſorder, ordaining that *Conſervatorie graces* ſhould not
help any body, nor free him from inquiſition, accuſation, and conventi-
on, before the Ordinary, in criminall and mixt cauſes, and in civill alſo, in
which hee is plaintiffe: and, in other cauſes, if the *Conſervator* be ſuſpected,
or difficulty ariſe betweene him and the Ordinary, who is competent Judge,
that arbitrators ſhall be choſen, according to the forme of the Law, and
that

that Conſervatory letters which comprehend domeſtiques, ſhall be extended but unto two, who do live at the charge of the Maſter of the family; and that theſe and the like *graces* ſhall not continue above five yeeres, and that the *Conſervators* ſhall not have Tribunals. But the Synod did not meane to containe in this Decree Univerſities, Colledges of Doctours, and Schollers, places of Regulars, and Hoſpitals. Concerning which exception, when this point was handled, there was very great contention, it ſeeming to the Biſhops, that, againſt all right, the exception was larger then the rule, becauſe the number of Doctors, Schollers, Regulars, and Hoſpitalaries, is greater then of all others, who can have *Conſervatorie* letters, and that the proviſion againſt any particular man was eaſie, but the diſorders of Univerſities and Colledges, were of the greateſt importance. The Legate gave an account hereof to *Rome*: where it being decided, by that which was conſulted under *Paul* the third, that it was neceſſary, for maintenance of the Apoſtolique Sea, that the Friars, and Univerſities, ſhould totally depend on *Rome*, there was no need of a new determination: and immediatly anſwer was made, that the *Conſervatories* of theſe, ſhould, by no meanes, be touched. Whereupon the Fathers of the Synod, who were adherents of *Rome*, being entred into this opinion, the others, who were fewer, were forced to bee content with the exception, and there was ſome hope, and ſome meanes uſed to pacifie them. 1551 JULIUS 3. CHARLES 5. EDWARD 6 HENRY 2.

The ſixth point was concerning the Prieſts apparell: wherein it was eaſily concluded to ordaine, that all the Eccleſiaſtiques of holy Order, or Beneficed men, ſhould be bound to weare an habite fit for their degree, according to the appointment of the Biſhop, giving him power to ſuſpend the tranſgreſſours, if, after admonition, they ſhall not obey, and to deprive them of their Benefices, if, after correction, they ſhall not amend; renewing herein the conſtitution of the Councell of *Vienna*; which notwithſtanding was not much fitted to thoſe times, prohibiting upper garments laced, and of divers colours, and frocks ſhorter then the veſtment, and red and green breeches chequered, things diſuſed, which have no need of prohibition.

The uſe of all Chriſtian Nations was moſt ancient, that, to imitate the mildneſſe of CHRIST our LORD, all the Miniſters of the Church ſhould bee neat and cleane from mans blood, never receiving to any Eccleſiaſticall order, any perſon defiled with homicide, whether voluntary or caſuall: and, if any Clerke committed any ſuch exceſſe, either willingly or by chance, all Eccleſiaſticall function was immediatly taken from him. This hath beene, and is now, inviolably obſerved by other Chriſtian Nations, unto whom diſpenſations againſt the Canons are unknowne; but in the Latine, where rich men may eaſily make uſe of them, it is obſerved onely by the poorer ſort. It being propoſed in the fourth and fifth Article to moderate the abuſe, it was ordained in the ſeventh head, that a voluntary homicide ſhould for ever remaine deprived of all Order, Benefice, and Eccleſiaſticall office; and when there ſhall be cauſe to diſpence with the caſuall homicide, the commiſſion of the diſpenſation ſhall bee directed to the Biſhop onely, or, if there be cauſe to the contrary, to the Metropolitane, or next Biſhop. They ſaw that this Decree, did not ſerve to moderate the

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abuſes, but to make the diſpenſations dearer. For the Popes hands were not tied concerning voluntary homicide; and for caſuall, the Decree was obſerved, in not committing the cauſe to any but the Biſhop; but to diſpence directly, without committing it to another, was not taken away, firſt making the prooſes in *Rome*, or diſpatching the diſpenſations under the name of *Motu proprio*, or with other clauſes, with which the Chancery doth abound, when it hath cauſe to uſe them.

A certaine ſort of Prelats ſeemed to hinder much the authority of Biſhops, who, for their reputation, in the place where they dwelt, obtained power of the Pope, to puniſh the faults of the Eccleſiaſtickes of that place; and ſome Biſhops alſo, pretending that their Prieſts received ſcandall and bad example from thoſe of the next Dioceſſes, obtained authority to chaſtiſe them. Some deſiring that this diſorder ſhould be remedied, by revoking wholly ſuch authorities, and perceiving that it would diſtaſte many Cardinals, and great Prelates, who abuſed them, they found a moderation, that they ſhould uſe them, yet without prejudice of the Biſhop; ordayning in the eighth point, that they might not proceed but in preſence of the Biſhop, or his deputy. There was another way to ſubject the Churches and people of one Dioceſſe, to the Biſhop of another, by uniting the Churches of one, to the Churches or Benefices of the other: which though it were prohibited in generall termes, in the ſeventh Seſsion, yet it being not ſo plainely done as ſome deſired, an expreſſe declaration was demanded. Whereupon it was reſolved in the ninth point, that all perpetuall *unions* of the Churches of one Dioceſſe, to the Churches of another, ſhould be prohibited, under what pretence ſoever.

The Regulars made great inſtance to keepe their Benefices, and to regaine thoſe which they had already loſt, by the invention of perpetuall *Commendaes*; and many Biſhops, for ſundry reſpects, were willing to aſsiſt them. They were deſirous to propoſe, that theſe perpetuall *Commendaes* ſhould bee quite taken away; but, fearing to bee contradicted, they were content onely to deſire they ſhould bee moderated. The Preſidents, on the other ſide, ſeeing the hazzard, that this matter, dangerous for the Court, ſhould bee ſet on foot, themſelves propoſed a light remedy, to hinder all treaty of a better. And this was, that Regular Benefices, uſually given in title to religious men, when they ſhall bee vacant hereafter, ſhall not bee conferred but upon men profeſſed of that Order, or to ſome perſon who is to receive the habite, and take upon him the profeſsion. This was the tenth point, which did not much import the Court of *Rome*, in regard as many *Commendaes* were already made as could be; and the Prelates had no great deſire to obtaine more, though it would have beene an honour for the Churches, if the Regular Abbats had reſided. But, in regard of the favour extended to the Monkes, not to take more from them then was taken already, a counterpoiſe was added in the next point, ordaining that they could not have ſecular Benefices, though with cure. Which howſoever it ſpeaketh onely of thoſe who are tranſlated from one order to another, ordaining that none ſhould bee received, but with condition to remaine in the Cloyſter, yet by parity of the reaſon, or by an argument of greater reaſon, it hath beene underſtood generally

of

of all. And becauſe the patronage of Churches, was graunted in Court by *grace*, and to make the *grace* the greater, power given to depute an Eccleſiaſticall perſon, with faculty to inſtitute him that is preſented; this diſorder was remedied in the twelfth head, ordaining that none ſhould have right of Patronage, but the founder of the Church, or hee that hath competently indowed, with his patrimoniall goods, one already founded. And for remedy of the ſecond diſorder, it was forbid in the thirteenth head, that the Patron, though he had a priviledge to do it, ſhould make the preſentation to any but the Biſhop. 1551 Julius 3. Charles 1. Edvvard 6 Henry 2.

The Ambaſſadours of the Duke of *Wittenberg* arrive in *Trent*, with commiſſion to preſent the confeſſion of their faith.

While theſe things were handled, *Johannes Theodoricus Pleniagorus*, and *Johannes Eclinus*, Ambaſſadours, ſent by the Duke of *Wittenberg* to the Councell, arrived in *Trent*, with order to preſent publikely the confeſſion of their doctrine, whereof mention hath beene made, and to ſay withall, that Divines would come to expound it more at large, and defend it, if ſecurity and ſafe conduct were given them, according to the forme of the Councell of *Baſil*. They went to the Count *Montfort*, the Emperours Ambaſſadour, ſhewed him their *Mandate*, and told him they had commiſsion to propoſe ſome things in the Councell. This being related by the Count to the Legate, hee anſwered, that as others Ambaſſadours did firſt preſent themſelves to the Preſidents in the name of the Pope, and did ſignifie to them the ſumme of their Ambaſſage, ſo thoſe of *Wittenberg* ought to do: he therefore wiſhed they ſhould come, and promiſed to receive them with all humanity. The Count related the anſwer; wherewith the Ambaſſadours were not contented, ſaying, That it was one of the points required in *Germany*, that the Pope ſhould not preſide; which not being willing to contradict, without order from the Prince, they would write, and expect an anſwer. The Count did cunningly aſſay to learne the whole ſecret of their inſtructions, to advertiſe the Legate of it: But they ſtood upon generall termes, and would not ſpecifie any particular. The Legate ſent immediately advice hereof to *Rome*, deſiring to know what he ſhould do, and the rather, becauſe he underſtood that others would come alſo.

Whereof the Legat giveth an account to Rome.

The Emperor goeth to *Iſpruc*, diſtant from the Councel but three dayes journey.

In the beginning of November, the Emperour, to bee neere the Councell, and the warre of *Parma*, went to *Iſpruc*, diſtant but three dayes journey from *Trent*, the way being ſo commodious, that if there were occaſion, he might heare from his Ambaſſadours in one day. The Pope had newes at once of the arrivall of the Emperour, and of thoſe of *Wittenberg*. And although he truſted upon the Emperours promiſes, made to him before the convocation of the Councell, and often reiterated, and ſaw the effects, becauſe his Ambaſſadours curbed the Spaniards, when they were too bold in maintaining the Epiſcopall authority, and was perſwaded he would perſevere, in regard of their common intereſts againſt the French King, yet having heard of ſome things handled in *Germany*, hee was a little jealous, that, either for neceſsity, or for ſome great opportunity, which occurrences might bring, hee would change his opinion. Yet he tooke courage; conſidering, that if there were warre in *Germany*, no account would bee held of the Councell, and during peace, all the *German* Eccleſiaſtickes would bee on his ſide, as alſo the *Italian* Prelates; whoſe number hee could eaſily encreaſe by ſending thither

Which maketh the Pope ſomwhat jealous of him.

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all those of the Court: that the Legat being resolute, and hoping to be Pope, would labour as for himselfe, and that the *Nuncio* of *Siponto* was most affectionate to his person; that he might at any time be reconciled with *France*, because it was desired by that King, by meanes of whom, and with the Prelates of his Kingdome, he might withstand all attempts made against his authority.

The answer of his Holinesse made to the Legate.

He answered the Legat, that he could give him but little instruction more; that he was not onely acquainted with, but principall Author of the Treaties made in framing the Bull of the Convocation; that hee should remember that the things decreed under *Paul*, were studiously approved therein; that it was said that it did belong to the Pope, not onely to call, but also to direct Councels, and to preside by his ministers, and that hee should not leave open so much as a little chinke, in prejudice of any of these. For the rest, hee should governe himselfe according to occasions, putting him in minde to fly, as the Plague, all middle counsels, and moderations, when any of these were handled, but so soone as the difficulty did arise, to break it off suddenly, that the adversaries might not have time to look farre into it. That he would not lay on his shoulders the *Translation*, or dissolution of the Councell, but onely that he should speedily advertise when he saw cause. Furthermore, that he should set on foot as much matter of doctrine as he could, which would work many good effects. For it would make the Lutherans despaire of concord without their totall submission, would interest the Prelates more against them, would not give time to these to think on the point of reformation, and make a sudden dispatch of the Councell, a matter of the greatest importance, because there is danger of some inconvenience so long as it lasteth. And when he saw himselfe forced to give them some satisfaction, in amplifying the Episcopall authority, he should condescend, and yet hold back as much as might be. For in case some thing should be granted prejudiciall to the Court, as formely hath beene done, yet so long as the Popes authority remaineth intire, there will bee meanes to reduce them easily to their first state.

The Session of the 25. of November.

Things standing thus, the 25. of November, the day appointed for the Session, came. The Fathers met, and went to the Church in the usuall order: where the ceremonies being finished, the doctrine of faith, the *Anathematismes*, and Decree of the *Reformation* were read by the Bishop that said Masse. The tenour whereof being already recited, there remaineth nothing else to be spoken. And finally, the last Decree was read, to give order for the future Session; in which it was said, that it being already appointed for the 25. of January, the Sacrament of Order ought then to bee handled, together with the Sacrifice of the Masse. So the Legate would have it pronounced, that, according to the Popes opinion, they might have matter of doctrine enough whereon to treat. The Session being ended, the Legate used all diligence that the Decrees might not be printed. And his order was observed at *Ripa*, where the Presse was, and where the other Decrees were printed. But no man could hinder the sending of many copies out of *Trent*, whereupon they were printed in *Germany*, and the difficulty and delay to let them see light, made the Critickes curious, and diligent to examine them more exactly, to finde the cause of this secrecy.

The Decrees are forbid to be published, but are printed in *Germany*.

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That which was decided in the firſt point of doctrine, and the ſixth Canon, cauſed much ſpeech: that is, that Christ, when he breathed on his Diſciples, and gave them the holy Ghoſt, ſaying, *Whoſe ſinnes you remit they are remitted, and whoſe ſinnes you retaine they are retained*, did inſtitute the Sacrament of *Penance*. It was conſidered, that *Baptiſme* was firſt uſed by the *Jewes*, for legall cleanlineſſe, afterwards applyed by Saint *John* for a preparation to goe to the Meſsias which was to come, and finally by Christ, in expreſſe and plaine words, inſtituted a Sacrament, for remiſsion of ſinnes, and an entrance into the Church: ordaining it ſhould bee miniſtred in the name of the Father, Sonne, and holy Ghoſt. Likewiſe in the captivity of *Babylon* a *Poſtcenium* was inſtituted by the Jewes, with bread and wine, for a thankſgiving and a memoriall of their going out of *Egypt*, while being out of the land of promiſe, they could not eat the Paſcall Lamb: in imitation of which rite Christ inſtituted the Euchariſt, to give thankes to God, for the generall deliverance of mankind, and in memory of himſelfe, who was the Author thereof, by the ſprinkling of his blood. And howſoever like rites have beene formerly uſed, though for other ends, as hath beene ſaid, yet the Scripture doth expreſſe all the ſingularities of them. Now that Christ would introduce a rite to confeſſe our ſinnes in particular ſo exactly, as that no uſe was ever the like, it ſeemed ſtrange that he would be underſtood by words, from which it muſt be drawne by a very unjoynted conſequence, yea, by many conſequences, very farre fetcht, as was done by the Councell. And they wondred, why the inſtitution being made by the word *remitto*, the forme was not, *I remit thy ſinnes*, rather then *I abſolve thee*. Others added, that if, by thoſe words a Sacrament of abſolution is inſtituted, with this forme, *Abſolvo te*, by which one is abſolved, one muſt ſay, by an unreſiſtable neceſsity, that another, or the ſame, is inſtituted, in which, this forme ſhould likewiſe be, *Ligo te*: becauſe it cannot be underſtood how the ſame authority *to looſe and binde*, founded upon the words of Christ abſolutely alike, doth require in abſolution the pronouncing of the words, *Abſolvo te*, and that other of binding doth not require the pronouncing of the words, *Ligo te*: Nor by what reaſon, to execute that which Christ hath ſaid, *Quorum retinueritis, &c. & quæcunque ligaveritis &c.* it is not neceſſary to ſay, *Ligo te*, but to execute *Quorum remiſeritis, & quæcunque ſolveritis*, it is neceſſary to ſay, *Abſolvo te*.

And there cenſured.

Likewiſe the doctrine, inferred in the fifteenth point, was cenſured by critiques: where it is ſaid, that Christ by the ſame words, did conſtitute the Prieſts, judges of ſinnes, and therefore that it is neceſſary to confeſſe them all abſolutely, and in particular, together with the circumſtances which alter the kinde, ſeeing that it doth appeare by the words of our Lord, that hee hath not diſtinguiſhed two ſorts of ſinnes, one to be remitted, and the other to be retained, whereby it would bee neceſſary to know of which the delinquent is guilty, but one onely which doth comprehend all; and therefore the word *Peccata* in generall is onely uſed. But he hath diſtinguiſhed two ſorts of ſinners, ſaying, *Quarum, & Quorum*: one of the Penitent, unto whom remiſsion is granted, another of the obſtinate, unto whom it is denyed. Therefore they are rather to know the ſtate of the delinquent,

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then the nature and number of the ſinnes. But concerning the circumſtances which alter the kinde, it was ſaid, that every honeſt man may ſweare, with a good conſcience, that the holy Apoſtles, and their Diſciples, moſt skilfull in things celeſtiall, not regarding humane ſubtilties, did never know what were the circumſtances which alter the kinde; and perhaps if *Ariſtotle* had not made this ſpeculation, the world would not have knowne it untill now, and yet there is made of it an Article of Faith, neceſſary to ſalvation. But as it was approved, that *Abſolvo* was a judiciall word, and reputed a good conſequence, that if the Prieſts do abſolve, they are Judges, ſo it appeared to bee an inconſtancie, to condemne thoſe who ſay, it is a naked miniſtery to pronounce; it being plaine, that the office of a Judge is nothing but to pronounce him innocent who is ſo, and the tranſgreſſour guilty, and that this metaphor of the Judge doth not beare, that the Prieſt can make a juſt man of a delinquent, as is aſcribed to him. The Prince may pardon offenders, and reſtore them to their good name; to whom, he that maketh a wicked man juſt, is more like, then to a Judge, who doth ever tranſgreſſe his office, when hee pronounceth any thing but that which he firſt findeth to be true. But they were amazed moſt of all, when they read the point where the ſpecificall and ſingular confeſsion of ſinnes, with the circumſtances, is proved, becauſe the judicature cannot bee executed without knowledge of the cauſe, nor equity obſerved in impoſing puniſhment, if the faults be knowne onely in generall, and afterwards that Christ hath commanded this confeſsion, that they may impoſe the condigne puniſhment. They ſaid that this was plainely to mock the world, and think all men fooles, and to perſwade themſelves that all their abſurdities ſhould be beleeved, without more to do. For who knoweth not and ſeeth not daily, that the *Confeſſors* enjoyne *Penance*, not onely without weighing the merit of the faults, but without having the leaſt conſideration of them? It would ſeeme, conſidering the words of the Councell, that the *Confeſſors* ſhould have a balance, to make difference of every graine, and yet oftentimes to recite five *Pater noſters*, ſhall be a *Penance*, for many murders, adulteries, and thefts: and the moſt learned *Confeſſors*, and generally, all in giving *Penance*, do ſay to every man, that they do impoſe onely part of the *Penance*. Therefore it is not neceſſary to impoſe that exact *Penance* which the faults do deſerve, nor to have a particular enumeration made of the ſinnes and circumſtances. But what need one go ſo farre, when the ſame Councell, in the ninth point of the doctrine, and the thirteenth *Anathematiſme*, doth ordaine, that ſatisfaction is made by voluntary *Penance*, and ſuffering of adverſities? Therefore it is not needfull, yea not juſt, to impoſe in *Confeſsion* the puniſhment that is correſpondent, and, by conſequence, not to make a ſpecificall enumeration, which is ſaid to bee ordained for this end. And they added, that, not conſidering any thing ſpoken before the *Confeſſor*, though moſt learned, attentive, and wiſe, having heard the *Confeſsion* of an ordinary man, for one yeere, much more of a great ſinner, for many yeeres, it is impoſsible he ſhould judge aright, though hee had Canons of the puniſhment due to any ſinne whatſoever, without danger to erre more then halfe, to ſpeake the leaſt. For a *Confeſſor* ſeeing all in writing, and conſidering many dayes of it, could not make a balance to decide

decide juſtly, much leſſe hearing, and reſolving preſently, as the cuſtome is. They ſaid it was not fit they ſhould be ſo contemned, and held ſo inſenſible, as to beleeve ſuch abſurdities. Of the *reſervation* of *Caſes* enough was ſaid by the Divines of *Lovine* and *Collen*, which was attributed to a deſire of dominion and to avarice. 1551 Julius 3. Charles 5. Edvvard 6. Henry 2.

The next day there was a generall Congregation, to give order for the diſcuſsion of the *Sacrifice* of the *Maſſe*, & the *Communion* of the *Cup*, and of Chidren. And although the Decrees were already made, for the Seſsion of the eleventh of October, and deferred, yet they diſcouſed againe, as if nothing had beene ſaid, and did chooſe Fathers to collect the Articles to be diſputed on, and others to make the Decree. And becauſe they made haſt, ſeuen Articles were ſuddenly framed, whereon they diſputed, twice every day, in which number was the Ambaſſador of *Ferdinand*, and *Julius Plugius*, Biſhop of *Naumburg*, and for greater reputation, the Electour of *Collen*, that all that doctrine might ſeeme to come from *Germany*, and not from *Rome*. They made alſo thirteene *Anathematiſmes*, condemning thoſe for heretiques, who do not hold the Maſſe, for a true and proper *Sacrament*, or do ſay it doth not help the living and the dead, or do not receive the Canon of the Maſſe, or do condemne private Maſſes or the ceremonies which the Church of *Rome* uſeth. And then foure Heads of doctrine were made, That in the Maſſe, is offered a true and proper Sacrifice; inſtituted by CHRIST; of the neceſsity of the Sacrifice of the Maſſe, and how it agreeth with that of the Croſſe; of the fruits of that Sacrifice, and the application thereof; of the rites and ceremonies of the Maſſe. All which were to be handled againſt Chriſtmas, and are not related here particularly, becauſe they were not publiſhed in the next Seſsion.

The Sacrifice of the Maſſe, the Communion of the Cup, and of children are handled.

While the Fathers do entertaine themſelves in the buſineſſe of the Councell, the Ambaſſadours of *Wittenberg*, did receive letters from their Prince, to proceed, and to preſent their doctrine, in the beſt manner they could. Therefore in the abſence of the Earle of *Montfort*, they entreated the Cardinall of *Trent*, to be a meanes, that the Preſidents would receive their letters, aſſemble the Fathers, and give them audience. The Cardinall promiſed all good office. but ſaid it was neceſſary to tell the Legate what they would treat on; it being ſo conſtituted by the Fathers, moved thereunto by the propoſition made by the Abbat of *Belloſana*. Therefore they imparted to him their inſtruction, ſaying, they were ſent to obtaine a ſafe Conduct for their Theologues, as it was given in *Baſil* to the *Bohemians*, and to propoſe their doctrine; that, it being examined by the Fathers, they might bee ready to conferre with their Divines, when they came. The Legate, receiving this relation from the Cardinall, imparted to him what the Pope had written, and told him, that it was not to be ſuffered, that either they or any other Proteſtants, ſhould preſent their doctriue, much leſſe be admitted to defend it, in regard there would bee no end of contentions: that it was the office of the Fathers, which was obſerved untill then, and ought to be continued, to examine their doctrine, taken out of their Books, and condemne that which did deſerve it. If the Proteſtants had any difficulty, and did propoſe it humbly, and ſhew themſelves willing to receive inſtruction, it ſhould bee given by

The Ambaſſadours of *Wittenberg* receive letters from their Princes, with order to proceed in their negotiation.

The anſwer of the Legate to their propoſitions.

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by advice of the Councell. Therefore he denied abſolutely to aſſemble the Fathers, to receive their doctrine, and ſaid, hee could not change this opinion, though it ſhould coſt him his life. For altering the ſafe conduct, he ſaid it was an exorbitant indignity to the Councell, that they ſhould miſtruſt that which was granted, and that to treat thereof was an unſupportable injury, and deſerved that all the faithfull ſhould ſpend their lives in oppoſing it.

Is favourably declared to the Ambaſſadors by the Cardinall of *Trent*.

The Cardinall of *Trent* would not give the anſwer ſo ſharp to the Ambaſſadours, but ſaid, That the Legate was angry, that they would begin with the preſentation of their doctrine, in regard they were to receive from their Superiours, with reverence and obedience, the rule of Faith, and not preſcribe it to others, with ſuch an unſeemelineſſe and abſurdity. Therefore he adviſed them to let that day paſſe, that the wrath of the Legate might be remitted, and then to begin with ſome other point, that afterwards they might fall upon thoſe two: that is, to preſent their doctrine, and deſire a ſafe conduct. They followed this counſell, and a few dayes after, the Cardinall being parted from *Trent*, they deſired the Emperours Ambaſſadour, to perſwade the Legate to receive their mandate, and heare their propoſition, that underſtanding his minde they might reſolve, as they ſhould have inſtruction from their Prince. The Ambaſſadour treated with the Legate, and had the ſame anſwer which was given to the Cardinall of *Trent*, which did not proceed from diſdaine, but from a reſolved will. The Ambaſſadour underſtanding the Legats minde, was of opinion that the buſineſſe could not then take place, and knowing that to relate the anſwer was diſhonourable for the Emperour, who had ſo largely promiſed, that every one ſhould be heard, propoſe freely, and conferre, in ſtead of giving a direct anſwer to thoſe of *Wittenberg*, he found divers excuſes, to gaine time, which he did not ſo artificially, though he were a *Spaniard*, but that they were diſcovered to be pretences not to give a plaine Negative.

At this time Ambaſſadours went to *Trent* from *Argentina*, and five Cities more, with inſtruction to preſent their doctrine. They imployed *Guilielmus Pictavius*, the Emperours third Ambaſſadour; who not to fall upon the ſame difficulties which his colleague did, tooke their Mandate and perſwaded them to expect a few dayes, untill he had ſent to *Cæſar*, and received an anſwer; becauſe in ſo doing, they ſhould proceed upon a good ground. This made quiet thoſe of *Wittenberg* alſo. The Ambaſſadour wrote to *Cæſar*, telling him of the Ambaſſadours reſolution, ſhewing what an indignity it was to his Majeſty, that no account ſhould bee made of ſo honeſt, and ſo juſt a promiſe made by him. The Emperour, to provide againſt this diſgrace, and cunningly to make uſe of the Councell, expecting the Ambaſſadours of the Elector of *Saxonie*, wrote that the others ſhould bee entertained untill their arrivall, aſſuring them they ſhould then be heard, and with all charity, conferred with.

Maximilian paſſeth by *Trent*.

The thirteenth of December *Maximilian*, the Sonne of *Ferdinand*, paſſed by *Trent*, with his wife and children, and was met by the Legat, and the Italian and Spaniſh Prelats, and ſome Germans alſo. The Prince Electors did not meete him, but viſited him in his lodging. The Proteſtant Ambaſſadours complained to him, that, notwithſtanding ſo many promiſes made by *Cæſar*,

they

they could not have audience, and prayed him to have pity upon *Germany*, 1551
becauſe thoſe Prieſts, being ſtrangers, did not care, for ſome ſmall reſpects
of their owne, to ſee it on fire, yea, by precipitating the determinations, and
Anathematiſmes, did make the controverſies every day more hard. *Maximi-*
lian perſwaded them to bee patient, and promiſed to treate with his uncle,
that the actions of the Councell might paſſe as he had promiſed, in the Diet,
they ſhould.

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And promiſeth the Proteſtans Ambaſſadors to to treat with the Emperor his vncle in their behalfe.

At Chriſtmas the Pope created fourteene Italian Cardinals, and imme-
diately publiſhed thirteene of them, reſerving one to be publiſhed when
he thought fit. And to honour ſo great a creation in the beginning of his
Papacy, eſpecially there being eight and fourty Cardinals in the Colledge,
which was then thought a great number, he pretended occaſion to doe it
for the enmity with the French King. Of whom he complained as well
for the warre he made againſt the Apoſtolike Sea, as for the Edicts publi-
ſhed, adding a report which then came from *Lions*, and *Genua*, that he threat-
ned to make a Patriarke in *France*, which if it were true, he ſaid it would be
neceſſary to proceed judicially againſt him. Wherein he ſhould meet with
many difficulties, in regard of the great number of the French Cardinals, to
whom it was needfull to make a counterpoiſe, by creating new, men of
worth, of whom the Apoſtolike Sea might make uſe, in occaſions of impor-
tance. The Colledge was contented, and the new Cardinals were received.
After this he diſpatched to *Trent* the Biſhop of *Monte-Fiaſcone*, with letters
of credit to Cardinall *Creſcentius* and the three Electors, whoſe comming he
did congratulate, and thanked them for their zeale and reverence towards
the Apoſtolike Sea, exhorting them not to perſevere. He gave him order to
tell them that he had created Cardinals, that he might have Miniſters de-
pending on himſelfe, in regard all the olde did depend upon ſome other
Prince, to excuſe him for the warre of *Parma*, ſaying that he did not make
it but that it was made againſt him, and was forced to defend himſelfe. To
Cardinall *Creſcentius* he gave an account of the Cardinals made, promiſing
to make them all underſtand his minde, how they ſhould demeane them-
ſelves towards his friend, unto whom he was ſo much obliged: And
hee made the *Nuncio* of *Siponto* bee tolde that he had diſpoſed of him as
the friendſhip betweene them did require, and that he ſhould not care to
know herein, but ſhould continue to perfotme his duty, as formerly hee
had done.

The Pope createth 14. Cardinals, and giveth a reaſon of it.

The Biſhop of *Montefiaſcone* commeth to the Councell with letters of credit.

Chriſtmas being ended, a generall Congregation was made, to give forme
to the handling of the Sacrament of Order. They diſcourſed of the abuſes
which, in this, were entred into the Church, and the *Nuncio* of *Verona* ſaid,
that there was in all ſome abuſe, worthy of amendment, but this is an ocean
of them. And, after many tragicall exclamations were made, they re-
ſolved, accordingly to their cuſtome, firſt to propoſe the Articles drawne out
of the Lutheran doctrine, and then diſcuſſe which ſhould be condemned
for hereticall, and frame the *Anathematiſmes* and Heads of doctrine and in the
end, ſpeake of the abuſes. Twelve Articles were given to the Divines, where-
on they diſcourſed, morning and evening. Out of the opinions of the Di-
vines, the Deputy Fathers framed firſt eight *Anathematiſmes*, condemning for

A generall congregation is held to ſet downe a rule for the diſcuſſion of the Sacrament of Order.

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hereticall to say, that Order is not a true and proper Sacrament, or that it is one onely, which tendeth to Priesthood, by many meanes; to deny the *Hierarchie*, to say that the consent of the people is necessary; to say that there is not one visible Priesthood; that Unction is not necessary; that the holy Ghost is not given in it; that Bishops are not *De jure divino*, and superiour to Priests. Upon these, foure points of doctrine were made; of the necessity and institution of the Sacrament of Order; of the visible and externall Priesthood of the Church; of the Ecclesiasticall *Hierarchy*; of the difference of a Priest from a Bishop. This doctrine and Canons, being approoved by the generall Congregation, were all put into one decree, under the same context: with that of the Sacrifice, to be published in a Session. Yet it was not done for the reasons which shall be declared. Therefore there is no particular mention made of what did passe in the Congregations of December and January, because the same things were discussed againe under *Pius* 4, in the third reduction of the Councell: unto which when we shall come, the differences shall be shewed betweene the Decrees framed now, and those which were after established under *Pius*.

Why no mention was made of what was handled in the Congregations of December and January.

The Electors crave leave to depart.

But newes comming to *Trent* that there were levyes made of Souldiers, throughout all *Germany*, and that there was feare of warre, the three Electors seeing their States were in danger, craved leave of the Emperour, by Letters and Messengers, to returne, that they might preserve them. *Cæsar*, desiring the Councell should continue, answered them, in the beginning of the

1552 yeere 1552, that the troubles were not so great as the fame; that he had sent to know the truth, and that a few men only were in Armes, but that the cities continued in their obedience, and *Maurice*, of whom the report was, that he had raised some stirs, would shortly come unto him, and had sent Ambassadors, who were already in *Ispruc*, and would shortly be in *Trent*; that those few Souldiers, lodged in *Thuringia*, who made some excursions upon the territory of the Bishop of *Mentz*, did mutine for want of pay only; that he had sent one expressly to pay them, and give them their passport; that he knew whatsoever was spoken and feared, and did not neglect any thing; that he had some in every place to advertise him, and did spare no cost: therefore hee exhorted them not to abandon the Councell, which would be in danger to be dissolved with their departure, which would give a great blow to Religion: and if their States want any provision, let them commaund their Ministers, and give him notice, and he will give them all assistance.

The Ambassadors of *Saxony* come to *Trent*.

Wolfius Colerus, and *Leonardus Badehornus*, Ambassadors for *Maurice*, Elector of *Saxony*, arrived in *Trent* the 7 of January; which gave great joy to the Electors and German Prelates, being assured hereby, that *Maurice* did not attempt any thing. They first treated with the Emperours Ambassadours, saying, that their Prince, desirous of concord, determined to send to the Councell some godly Divines, men loving peace, which the other Protestant Princes would doe also; but that a Safe Conduct was first necessary, in the forme of that of *Basil*, and that, in the meane while, all treaty in the Councell should cease, and that, after their arrivall, the things already handled should bee reexamined, it not being a generall Councell without the pre-

Their negotiation.

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sence of all Nations; that the Pope should have no power to preside, but should submit himselfe to the Councell, and release the oath to the Bishops, that their voyces may be free. They added, that, in the Congregation, they would expound all more at large, which they desired should be assembled quickly, because their Divines were within the distance of forty miles, and did expect onely to bee called. The Emperours Ambassadours gave good words, because the Emperour to entertaine *Maurice*, commaunded they should be well used. The Ambassadours treated in the same manner with the Prince Electors, and Cardinall of *Trent*, but refused to treate with Cardinall *Crescentius*, and his Colleagues, that they might not seeme to acknowledge them for Presidents. They desired to be admitted in publique, to present their *Mandate*, and to be received as those of the Elector of *Brandeburg* had beene; whereof the Emperours Ambassadours gave them hope, and promise, that they might entertaine them. But, on the other side, the Legate and *Nuncii* did plainely refuse to alter the forme of the safe Conduct, saying, it was too much dishonorable for the Synode, which representeth the Catholike Church, that foure Sectaries should make difficulty to beleeve it; neither would they stop the course of the Decrees, already put in order with maturity. And what hope can there be of the conversion of *Germany*, when they come with these demands. And, for hearing them in publique, it was just, because it was promised; but being sent to the Councell, of which they see and know that the Legate and *Nuncii* are Presidents, they must acknowledge them for such, or else they cannot be admitted; for so they had speciall Commission from the Pope, when those of *Wittenberg* came; that to release oathes, and such like impieties, they would rather die, than cause to be done: and that they would sooner depart, dissolve the Councell, and command the Prelates not to assist at any act. The Emperour, enformed hereof, who tooke the businesse to the heart, was offended with the obstinacy of the Papalins, who, upon a nice point of honor, would distur be a businesse of that consequence, and raise a war, which, in the end, might be their owne ruine. And he sent backe order to his Ambassadours, and the Cardinall *Madruccio*, to use all meanes, and his owne authority also, to pacifie the Legate, first with intreaties, then with high words, if they could not find a temper, which might satisfie both parties, and to force the Presidents, in a civill manner, to yeeld to that which was just.

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The answere of the Legate and Nuncij.

Offendeth the Emperour.

The Emperours Ambassadours, and *Madruccio*, advising together, resolved not to demand of the Presidents all at once, but first, only to receive the Ambassadours; wherein they used long perswasions, which did all tend to shew, that when they were brought into the assembly, where themselves are Presidents, it might be said, that their Presidency was acknowledged though before no particular complement had beene used with them. To the perswasions, they added intreaties in the Emperours name; mixed with some words, signifying that it was not fit to abuse his clemency, nor to force him to use other remedies; that necessity was a potent incitation, to him that had power in his hand. In the end *Crescentius* suffered himselfe to be perswaded to receive them, not in Session, but in a publique generall Congregation in his house, thinking that thereby he should be acknowledged as Head. His edge

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being thus abated, they came to ſpeake of ceaſing to treat of the points of doctrine. *Toledo* ſaid, that he had heard it often preached, that the ſauing of one ſoule was ſo deare to CHRIST, that he would deſcend againe, and ſuffer on the Croſſe to gaine it; and now that they refuſed to ſaue all *Germany*, where was the imitation of CHRIST? The Legate excuſed himſelfe upon the abſolute commands of the Pope, which he muſt needes obey. But the Ambaſſadour replying, that, to a Miniſter inſtruction is given in writing, and matters of diſcretion are referred to judgement, the Legat ſaid, that he ſaw well, that this was a degree to demand a retractation of the things already decided. The Ambaſſadour gave his word that he would never ſpeake of that, yea, would deale effectually with the Saxons, to make them deſiſt from that requeſt. In the end, the Legate perſwaded by the *Nuncio* of *Verona*, who ſuffered himſelfe to be overcome firſt, not to lay (ſaid he) on the Popes backe, and the Councels, ſo great a burthen, that ſo important a buſineſſe ſhould be precipitated, and ſo ſmall a delay denied, condeſcended to ſay, that he was content, ſo that the Prelates, in the generall Congregation, did approoue it; to whom alſo he referred himſelfe for the ſafe Conduct, which they required.

At the inſtance of whoſe Miniſters they change their opinion.

The Congregation was called, to conſult upon theſe particulars; and the delay was eaſily granted, upon the perſwaſions of the Imperialiſts. For the Safe Conduct, the conſultation was more hard, not onely for the reaſon alleadged by the Legate, but becauſe the name of the Councell of *Baſill*, and the referring themſelves to it, was abhorred; and, which did more import, they thought that ſome things might fit thoſe times, and not theſe, becauſe the doctrine of the Bohemians was not ſo contrary to the Church of *Rome*. Notwithſtanding all theſe oppoſitions, the authority of the three Electors, and of the Cardinall *Madruccio*, and the negotiation of the Emperours Ambaſſadours prevailed.

A conſultation about the manner of receiving the Proteſtants in Councell.

But *Petrus Tagliavia*, Arch-biſhop of *Palermo*, ſaid, that one very principall point was omitted, whether it ſhould bee allowed, that they ſhould ſit in the Councell or not, and what tearmes of honour ſhould be given them, and their Prince. For, to uſe them meanly would breake off the buſineſſe, and to honour manifeſt heretiques, would be a great prejudice. The ſame, and greater conſideration muſt be had, how to behave themſelves towards the Divines which are to come, who pretend to have a voyce, and will be a party in diſputations, and conſultations, nor will be eſteemed, as the Church muſt eſteeme them, that is, as heretikes, excommunicated, and condemned, with whom it is not lawfull to treat, but only to inſtruct them, if they humbly crave it, and pardon them by favour. Concerning this propoſition, much was ſaid of the variety of times, unto which all lawes muſt be accommodated; that the ſame Popes which did conſtitute thoſe Decretals, would not obſerve them in theſe occaſions; that nothing is more eaſily broken, than that which is moſt hard. Which reaſons, though they perſwaded the major part, yet they knew not what to reſolve. It ſeemed, that to determine what rigor of the law was to be retained, and what to be mitigated, was a matter of much and long conſultation, and to be reſolved on without the Pope and Colledge of Cardinals, which the ſtraitneſſe of time could not

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ſuffer. When all were doubtfull, the Biſhop of *Namburg* opportunely ſaid, that neceſſity did excuſe every tranſgreſſion, and that, in the *Colloquies* and *Diets of Germany*, theſe things were maturely conſidered on, and ſo decided. But, for more aſſurance, it was good to make a Proteſtation before, that all was done for charity, and piety, which are above all law, and to reduce thoſe that wander, and that it is underſtood to be done without prejudice, with thoſe clauſes which the Lawyers know how to find. This opinion was readily embraced, firſt by the Dutch, then by the Spaniſh Prelates, and at laſt, ſomewhat coldly by the Italians, the Legate remaining immooveable, and ſhewing plainely that he ſtood quiet, being forced by neceſſity. Theſe reſolutions being ſetled, it was reſolved, that, the 24 of the moneth, there ſhould be a generall Congregation, to receive and heare the Saxon Ambaſſadours, that the 25 day the Seſſion ſhould bee held, wherein the dilation, made untill the comming of the Proteſtant Divines, ſhould be publiſhed, and Fathers elected, who, together with the *Nuncio* of *Sponto*, ſhould make the Decree, the Proteſtation, and Safe Conduct. The Emperours Ambaſſadours deſired to have the draught of the Safe Conduct, before it was publiſhed, to ſhew it the Proteſtants, that if it did not give them ſatisfaction, it might be ſo amended, that they might not have occaſion to refuſe it as they did the other. 1552 IVLIVS 3 CHARLES 5. EDWARD 6 HENRIE 2

The dayes following were ſpent in the things aforeſaid; which beeing finiſhed, the Emperours Ambaſſadours called the Proteſtants to them; and the Ambaſſadour *Pictavius*, having made an eloquent encomiaſtique oration, of the goodneſſe and charity of the Fathers, and exhorted them to give ſome little part of ſatisfaction to the Councell, as they received much from it, told them that it was concluded to receive their *Mandats* and perſons and to heare their propoſitions, and to deferre the concluſion of the points of doctrine, though already diſcuſſed and digeſted, to expect the Divines, and heare them firſt. That they ſhould have a very ample Safe Conduct, as they deſired, whereof the draught was made. And he was copious in ſhewing that theſe were memorable favours and graces, ſaying, it was neceſſary to yeeld ſomething to the time, and not to deſire all at once; that when they ſhall be entred into the buſineſſe, occaſion will make them obtaine many things, which before ſeemed hard; that the Fathers doe deſire the comming of the Divines; that themſelves, the Emperours Ambaſſadours, have matters to propoſe of great moment, and doe ſtand onely expecting that the Proteſtants ſhould beginne, that afterwards they may come foorth themſelves alſo. For this cauſe he prayed them to proceed ſlowly, in their demand, that the Pope ſhould ſubmit himſelfe to the Councell. For the Fathers doe know, that there is ſomething to be amended in the Papall greatneſſe, but withall, that they muſt goe on cunningly; that themſelves have dayly experience, what dexterity and Art muſt be uſed, in treating with the Popes Miniſters. Likewiſe the reexamination of the things already concluded, was not to be propoſed in the very beginning, becauſe it would be too great an infamy and diſhonour to the Councell. Therefore let their Divines come, who ſhould have a convenient audience in all things, and when they ſhall ſee themſelves wronged, it ſhall ever be free for them to depart. The Proteſtants

An exhortation of the Emperours Ambaſſador *Pictavius* to the Proteſtants.

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ſtants, retiring themſelves, and conſidering the draught of the ſafe Conduct, were not content, becauſe it was not like to that of *Baſill*, in which foure things more were granted to the Bohemians. 1. That they ſhould have a deciſive voyce. 2. That the holy Scripture, the practiſe of ancient Church, the Councels, and Interpreters, conformeable to the Scripture, ſhould bee Judges 3. That they might exerciſe their religion in their houſes. 4. That nothing ſhould be done in contempt and diſdaine of their doctrine. Of theſe foure, the ſecond was different from that which was granted in this draught, and the three others were totally left out. They ſuſpected alſo, becauſe the Councell did not promiſe them ſecurity in the name of the Pope and Colledge of Cardinals, as did that of *Baſill*. Yet they reſolved not to make mention of this but to demand the inſerting of the other 4 clauſes: and told the Emperours Ambaſſadours plainly, that they could not receive it in this forme becauſe they had this expreſſe commiſſion in their inſtructions. *Toledo* ſhewed ſome diſdaine, that they ſhould not content themſelves, with that which he, and his Colleagues, had obtained, with ſo much paines; that the chiefe importance was in the ſecurity of comming and departing, and that the reſidue appertained to the maner of their negotiation, which might more eaſily be concluded by the preſence of the Divines; that it was too much obſtinacy to yeeld in nothing, and to deſire to give lawes alone to the whole Church. But it not being impoſſible to remove them with theſe reaſons from their reſolution, they ſaid, in the end that they would referre it to the Fathers, to whom they reſtored the draught of the ſafe Conduct, with the additions which were required.

Who are not content with the forme of the ſafe conduct.

For which cauſe *Toledo* the Emperors Ambaſſadour is offended.

The Legates and preſidents, underſtanding the requeſt and reſolution of the Proteſtants, ſhewed the Emperours Ambaſſadours how unjuſt and unmeet their demands were. For in the forme of that of *Baſil* they never found that it was granted to have a deciſive voice in the Councell; but, that the Scripture, practiſe of the Church, Councels, and Doctours, who ground themſelves on it, ſhould bee Judges, is ſaid, becauſe the practiſe of the Church is called by the name of Apoſtolicall Tradition: and when it is ſaid, the holy Fathers, it is underſtood that they ground themſelves on the Scripture, becauſe they have no other grounds. The third, to exerciſe their Religion in their owne houſes, is underſtood, with condition that it bee not knowne, and done without ſcandall. The prohibition, that nothing ſhall bee done in contempt of them, is expreſſe when it is promiſed, that, by no meanes, they ſhall be offended. Therefore that it did appeare that they complained without cauſe, onely to cavill, and in regard there is no hope to content them, there doth remaine nothing but to give them the ſafe Conduct, as it is made, and to leave them to their liberty, to make uſe of it or not. The Earle of *Mountfort* replied, that nothing could bee more ſerviceable to the publique cauſe, than to take from them all pretences and cavils, and to make them unexcuſeable to the world: therefore, in regard there was no reall difference betwene the the Safe Conduct of *Baſill* and this, to ſtoppe their mouthes, that might be copied out *Verbatim*, changing onely the names of the perſons, places, and times. The Preſidents mooved with that ſubtile and ſtrict anſwere, looked one upon another, and the Legat, taking the matter

ter upon him, answered, that it should be referred to the Fathers, in the Congregation, and resolved according to their determination. The Presidents did recommend the cause of GOD and the Church, every one to his familiar friends. To the Italians and Spaniards they said, that it was a great injury to bee compelled to follow a company of Schismatiques, who have spoken unadvisedly, and contrary to Christian doctrine, and bound themselves to follow the Scripture only. But unto all in generall, they said, it would be a great indignity, if the Councell should so speake, as that an inextricable dispute should presently arise. For in setting downe what Doctors doe ground themselves upon the Scripture, they should never agree: that it was honourable for the Councell to speake plainely, and that the expression made was just the declaration of the Councell of *Basil*. And such perswasions they used, as that almost all were resolved not to change the draught, hoping that though the Protestants desired it should bee better, yet they would be content when they saw all was done. 1552 IVLIVS. CHARLES. EDWARD 6 HENRIE 2

All being in order, the foure and twentieth day the generall Congregation was made; in which the Electors and all the Fathers met in the Legats house, as also the Ambassadours of the Emperour, and of *Ferdinand*, who were not wont to be present in such kinds of Congregation. The Legat beganne briefly, and said, they were assembled to beginne an action, the most doubtfull that evet happened to the holy Church: therefore they were to pray God for good successe, with more than usuall devotion; and, having invocated the name of the holy Ghost, as the custome is in the Congregations, the *Protestation* was read by the Secretary; whereunto all the Fathers having given consent, the Speaker desired it should be registred in the acts, and a publique instrument made of it. The tenor whereof was thus in substance. That the holy Synode, not to hinder the progresse of the Councell, by the disputes which would arise, when it should be duely examined, what sort of persons should appeare in the Synod, and what sort of *Mandats* and Writings be presented, and in what places men should sit, doth declare, that, if any be admitted for himselfe, or as a deputy, which ought not to be received by the disposition of the law, or use of the Councels, or set not in his right place, or if *Mandats*, Instruments, Protestations, or other writings, which doe, or may, offend the honour, authority, or power of the Councell be presented, it shall be understood, that the present or future generall Councels shall not bee prejudiced, it being the Synods meaning to restore peace and concord unto the Church, by any meanes, so that it be lawfull and convenient. The Protestation of the Councell concerning the admission of the Protestants.

Afterwards the Saxon Ambassadours were brought in; where being entred, and having made their obeisance to the Assembly, *Badehornus* spake, using these titles, Most reverend, and most worthy Fathers and Lords. The substance of his speech was this. That *Maurice*, Elector of *Saxony*, wishing them the assistance of the holy Spirit, and a happy issue of the action, did let them know, that hee had long since resolved, that if ever a generall, free, and Christian Councel were celebrated, where the controversies of religion might be decided according to the holy Scripture, and all might speake securely, and a Reformation be made in the Head and the members, to send his *Badehornus* one of the *Saxon* Ambassadours maketh an oration in the generall Congregation.

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his Divines thither. That now, thinking they are aſſembled to this end, he hath called his Theologues together, commanding them to chooſe ſome, to carry their *Confeſſion* to that Synod; which was not yet done, in regard of a certaine conſtitution of the Councell of *Conſtance*, that faith or ſafe Conduct, given by the Emperour, Kings, or others, to heretiques, or perſons ſuſpected, ought not to be obſerved; and of the example of the *Bohemians*, who would not go to *Baſil*, without ſecurity from the Councell. Therefore that the *Elector* deſired that ſuch a ſafe Conduct ſhould be given to his Divines, Counſellors, and their families; that not long ſince a certaine forme of ſafe Conduct was preſented to him, much different from that of *Baſil*, ſo that the Divines thought it dangerous to come hither with it, becauſe, by ſome Decrees made in *Trent*, and already printed, it did appeare, that they are accounted heretiques and ſchiſmatiques, though they never have beene either called or heard. Therefore the Prince demandeth, (he ſaid) that his men may be excuſed, and a ſafe conduct granted, in the forme of that of *Baſil*, and that, underſtanding that they would proceed to the concluſion of the controverſed Articles, it ſeemed unto him a thing prejudiciall, and contrary to all Law of GOD and Man, in regard his men were lawfully hindered, for want of a ſafe Conduct. Who therefore prayeth them that all may be deferred untill his Divines be heard, who be but ſixty Dutch miles diſtant. That afterwards it being related to him, that the Proteſtants may not be heard concerning the controverſed Articles, defined the yeeres paſt, the greater part of which containe grievous errours, the Prince deſireth that they may be reexamined, and his Divines ſuffered to ſpeake, and that determined which ſhall be conformable to the Word of GOD, and beleeved by all Nations of the Chriſtian world. For the things determined have beene handled by very few of thoſe who ought to aſſiſt in the generall Councell, as doeth appeare by the printed Catalogue; it being eſſentiall to a generall Councell, that all Nations ſhould be admitted, and freely heard. That the Prince alſo doth remember, that many controverſed Articles doe concerne the Pope; and the Councels of *Conſtance* and *Baſil* having determined, that the Pope, in points of faith, and which concerne himſelfe, is ſubject to the Councell, it is fit the ſame ſhould be done in this place, as alſo, which was conſtituted in the third Seſſion of the Councell of *Baſil*, that all perſons of the Councell ſhould bee abſolved from the oathes of Obligation to the Pope, as farre as concerneth the cauſes of the Councell. Yea, that the Prince is of opinion, that, without any further declaration, by vertue of the conſtitutions of thoſe Councels, all are free from thoſe bonds. Therefore prayeth the aſſembly, that they would firſt repeat, approove, and ratifie the Article of the ſuperiority of the Councell above the Pope, eſpecially in regard the Cleargie hath neede of reformation, which hath beene hindered by the Popes. For the abuſes cannot be amended, if the perſons of the Councell depend on the Popes nod, and be bound, by vertue of oath, to preſerve his honour, ſtate, and power: and if it might be obtained of the Pope to remit the oath willingly, it would be praiſe-worthy, and gaine great favour, credit, and authority to the Councell, becauſe the Decrees would be made by free men, who might lawfully treat, and judge according to the Word of CHRIST. That

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in concluſion the Prince deſireth that his propoſitions may be taken in good part, being moved to tender them, for the zeale of his owne ſalvation, charity towards his Countrey, and peace of all Chriſtendome. Having this diſcourſe in writing, he preſented it, and it was received by the Secretary, and the Speaker ſaid in the common name, that the Synod ſhould conſider of it, and make anſwer in due time. 1552 IVLIVS.3 CHARLES 5. EDWARD 6 HENRIE 2

After theſe, thoſe of *Wittenberg* were heard, who preſented the *Mandate* of their Ambaſſage. Which being read, they briefly ſaid, that they were to tender the Confeſſion of their doctrine, and that Divines would come to defend it, and handle the ſame things more at large, ſo that Judges might be indifferently choſen by both ſides, to take knowledge of the controverſies. For their doctrine being repugnant to that of the Pope and the Biſhops his adherents, it was unjuſt that either the Plaintife, or the defendant ſhould be judge: deſiring therefore, that what was done in the Councell the yeeres paſt, might not have the ſtrength of a law, but that the diſcuſſion of every thing already handled ſhould begin again, it being not juſt, that when two contend in law, what is done by one, the other being lawfully abſent, ſhould be of force: and the rather, becauſe it might be cleerly demonſtrated, that aſwell in the laſt actions, as in thoſe of the yeeres before, Decrees have been publiſhed contrary to the Word of GOD. And they preſented their doctrine, and diſcourſe in writing: all which was received by the Secretary, but the doctrine was not read. The Speaker anſwered in the name of the Fathers, that anſwer ſhould be given in time convenient. And ſo do the Ambaſſadors of the Duke of *Wittenberg*.

When this was done, the Electours and Ambaſſadours departed, the Prelates remaining with the Preſidents, to give order for the Seſſion. Firſt, the Decree was eſtabliſhed, and then the ſafe Conduct propoſed, adding the cauſes why the Proteſtants were not content. And conſulting, whether that which they deſired ſhould be added to the forme, they did eaſily agree all in one opinion, that nothing ſhould be added, to avoide inextricable diſputes, and inevitable prejudices. The Fathers reſolve not to alter the Safe Conduct.

The next day, the 25 of January, deputed for the Seſſion, they went to the Church with the uſuall Ceremonies, but with more Souldiers, called by the Preſidents, to make oſtentation of the greatnes of the Councel, and with many ſtrangers, who came thither, thinking the Proteſtants ſhould be received publikely, and with ſingular ceremonies. The B. of *Catanea* ſang Maſſe, and *Iohn Baptiſta Campeggio*, B. of *Majorica* preached, and, the uſuall Rites being obſerved, the Decree was read by the Maſſe Biſhop, the ſubſtance whereof was: That the Synod, to performe the things already decreed, having exactly handled whatſoever belongeth to the Sacrifice of the Maſſe, & Sacrament of Order, to publiſh in the Seſſion the Decrees concerning them, and the 4 Articles of the Sacrament of the *Euchariſt* deferred, thinking that the Proteſtants, unto whom they had given ſafe conduct, would have been arrived by this time, in regard they are not come, but have made ſupplication that all ſhould be deferred untill another Seſſion, giving hope that they wil come long before the celebration thereof, having received a ſafe conduct in a more ample forme, the Synod deſirous of quiet & peace, beleeving that they will come, not to contradict the Catholike faith, but to underſtād the truth, & that they wil be ſatisfied with The Seſſion. The Decree.

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with the Decrees of the holy mother the Church, hath put off the next Seſſion, untill the nineteenth of March, to give light to, and publiſh the things aforeſaid, granting them (to remove all cauſe of greater delay) a ſafe Conduct, of the tenour as ſhall be recited, determing to handle, in the meane while, the Sacrament of Matrimony, and to proſecute the reformation, that they may publiſh the definitions of this, together with the definitions of the things aforeſaid. The ſubſtance of the ſafe Conduct was; That the Synod, adhering to the ſafe Conduct already given, and amplifying it, doth make faith to all Prieſts, Princes, Nobles, and perſons, of what condition ſoever, of the German nation, which ſhall, or are already come to the Councell, ſafe Conduct to come, remaine, propoſe, and ſpeake in the Synode, to handle and examine what they thinke fit, give Articles, and confirme them, anſwer the objections of the Councell, and diſpute with thoſe whom it doth elect, declaring that the controverſies in this Councell ſhould be handled according to the holy Scripture, Traditions of the Apoſtles, approoved Councels, conſent of the Catholike Church, and authority of the holy Fathers, adding, that they ſhall not be puniſhed upon pretence of religion, or offences committed, or which will be committed, ſo that there neede not be any ceſſation from Divine Service, by reaſon of their preſence, either in their journey, or in the City of *Trent*, or in any place elſe, and ſhall returne when it ſhall ſeeme good unto them, without let, with ſafety of their robe, honor, and perſons, but with the knowledge of the deputies of the Synode, that proviſion may be made for their ſecurity: granting that, in this ſafe Conduct, all thoſe clauſes be held to be included, which are neceſſary for reall and full aſſurance: adding, that if any of them, either in comming, or in *Trent*, or in returning, ſhall commit any enormity, which ſhall nullifie the benefit of this publike faith, he ſhall be puniſhed by their owne Judges, ſo that the Synod may be ſatisfied: and, on the other ſide, if any other in comming hither, remaining here, or returning ſhall commit any thing which may violate this ſafe Conduct; he ſhall be puniſhed by the Synode, with the approbation of the Germans themſelues, who ſhall be preſent in *Trent*, the forme of the affiçuration remaining ſtill in force, giving leave to the Ambaſſadours to goe out of *Trent*, to take the ayre, and returne, to ſend and receive advices, and meſſengers, as often as they ſhall thinke fit, yet accompanied with the Deputies, for their ſecurity: which ſafe Conduct ſhall remaine in force, ſo long as they be under the care of the Synod, in comming to *Trent*, in their abiding there, and twenty dayes after they ſhall aske leave to depart, or after it ſhall be granted to them, that they may bee rendred in a ſecure place, at their election: which things it promiſeth faithfully, in the name of all faithfull Chriſtians, of all the Princes, Eccleſiaſticall and Secular, and likewiſe of all other perſons Eccleſiaſticall and Secular, of all conditions: faithfully promiſing with all, that the Synod ſhall not ſeeke occaſion, publikely or ſecretly, that any thing be attempted in prejudice of this ſafe Conduct, nor, to violate the ſame, will uſe, or ſuffer any to uſe any authority, power, right, ſtatute, or priviledge of Laws, Canons, or Councels, eſpecially that of *Conſtance*, and of *Siena*: which things in this behalfe, and for this time, it doth diſallow. And if the Synod, or any perſon in it, or any that belong to them ſhall violate the forme of this Safe Conduct in any

The Safe Conduct.

any point or clauſe whatſoever, and puniſhment bee not inflicted to their approbation, let them thinke that the Synode hath incurred all the puniſhments which the violaters of ſuch ſafe Conducts may incurre by the law of GOD, or man, or cuſtome, without admitting excuſe, or contradiction. Theſe things being read, the Seſſion was ended. It is certaine that the Preſidents, doubtfull what might enſue, were willing to be prepared, if the winde were proſperous, to decide the matter of the Sacraments, all in one Seſſion: and therefore having in a readineſſe all that belonged to the Communion, the Maſſe, and Sacrament of Order, they were deſirous to digeſt alſo and put in order all that concerned Matrimony, that they might put all into one bundle, and to handle ſuccinctly, in another Seſſion, Purgatory, Indulgences, Images, Reliques, and ſuch ſmall matters, (for ſo they called them) and then to end the Councell. And if any thing were oppoſed to this deſigne, they might ſhew that the fault was not in them. 1551 IVLIVS 3 CHARLES 5. EDWARD 6 HENRIE 3

Many, who read theſe occurrences, will marvell that the Pope, from whom all conſultations of farre leſſe moment were wont to proceed, is not named. Which they will ceaſe to doe, when they ſhall know, that he was adviſed from point to point, of all the accidents and deſignes, and that, when thoſe of *Wittenberg* were arrived, and newes came that more were expected, he anſwered his Legate, and *Nuncii*, that the Proteſtants ſhould be entertained with as much courteſie as was poſſible, knowing it was neceſſary in ſuch caſes, to ſuffer ſome indignity; willing them to uſe diſcretion, becauſe patience winneth honour in the end. That they ſhould abſtaine from all publique Colloquie in matter of religion, either by writing, or by word of mouth. That they ſhould endeavour, by perſwaſion and hopes, to gaine ſome of the Proteſtant Doctors, and ſhould ſpare no coſt. The Pope was adviſed of every thing that was done, yet nothing happened that might make him alter his purpoſe. But when he underſtood that the Emperours Ambaſſadours had given the Proteſtants hope to moderate the Papall authority, and ſaid that they expected to ſee a gate laid open by their negotiation, that afterwards they might ſecond it, and bring in thoſe things which they had deſigned, and that the Fathers did holde it neceſſary to reſtraine it, having other intelligence that all the Spaniards vvere of that minde, and that the Emperour did deſigne to advance himſelfe by debaſing the Papacie, and did cheriſh the Proteſtants, to ſhevv that it did not proceed from him, his mind vvas aliened from him, and turned to the French King. He therefore hearkned to the treaty of the Cardinall *Tornon*, in the kings name, vvhich being executed, the diſſolution of the Councell would follow, without his paines, or without ſhewing that he did deſire it. Why the Pope is aliened from the Emperor.

The Seſſion being made, the Proteſtants, though they perceived that the Safe Conduct was not enlarged, as they deſired, diſſembling the knovvledge of it, did demand it, and an authenticall copy vvas conſigned by the Emperours Ambaſſadours, to the Ambaſſadours of each Prince. Who, having read it, did complaine that promiſes vvere not kept, and required the Synods anſvver to their expoſitions, and to their requeſts, made concerning the manner of proceeding in the Councell. The Imperialiſts perſvvaded them to goe on vvith dexterity, ſaying, as before, that vvith time they ſhould obtaine

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obtaine all, but ſeeking things diſtaſtfull, and before there was opportunity, every thing would be more hard. That it was neceſſary not to expreſſe in the Safe Conduct, that they might exerciſe their religion in their houſes, in regard it was underſtood to be granted, becauſe it was not forbid. That nothing ſhould be done to their diſgrace was plainely expreſſed, in that good and reall uſage was promiſed, and, beſides that, publike prohibitions will be made to all, which will be of greater force. For the reaſons to be alleadged in Councell; the ſame was ſaid in ſubſtance, that the Scripture ſhall be the ground, but when there is controverſie of the meaning of it, it will be neceſſary that the Councell ſhould be judge. For it is dumbe of it ſelfe, without ſoule, and, as civill Lawes, hath need of a Judge to give it life; which, in matter of religion is the Councell, as hath been obſerved ever ſince the Apoſtles time. The Proteſtants received the Safe conduct, but with *Proteſtation*, that they did it only to ſend it to their Princes.

The Proteſtants receive the ſafe conduct with proteſtation.

The Preſidents to examine the Sacrament of Matrimony, as was decreed, making a generall Congregation, and chooſing Deputies, gave foorth 33 Articles, in that matter, to be diſcuſſed by the Divines. They ordained alſo, that the Deputies ſhould make the Canons, as the particulars were examined. Some Congregations were held, and ſixe Canons framed. Whereupon the Proteſtants complained to the Emperours Ambaſſadours, that the hope that with time they ſhould obtaine a review of the things decided, was quite taken away, becauſe they proceeded to new deciſions, while their Divines were expected. The Emperours Ambaſſadours could not obtaine of the Preſidents to ſtop their proceeding, which they haſtened with all diligence, that either the Proteſtants might not come to *Trent*, or, if they came, might finde all decided. For the reexamination, the Pope, the Court, and all the Prelates, were reſolved to deny it conſtantly. And they thought that they might with better ground deny the reviſion of many things, than of a few. But the Emperour, whom it did much concerne, to bring the Proteſtants to *Trent*, but nothing at all to have the matters reexamined, adviſed by his Ambaſſadours, of what the Proteſtants complained, and how they were hindered to goe to the Councell, ſent a man to *Trent*, with commiſſion to goe to *Rome* alſo to negotiate, that all action might be deferred for ſome few dayes, ſhewing that that haſte did precipitate the buſineſſe, gave ſuſpicion to the Proteſtants, and made them more unwilling to go to the Councell. He gave order alſo, that his men ſhould be commanded not to proceede, and ſhould Proteſt againſt the *Papalins*, if perſwaſions would not ſerve. This reſolution of the Emperour, ſignified in *Trent*, cauſed a generall Congregation to be called, where it was reſolved, to deſiſt from all Conciliary act, during pleaſure of the Synode.

33 Articles concerning Matrimony are given to be diſcuſſed.

Where of the Proteſtant Ambaſſadors doe complaine.

The *Papalins* doe deſire to proceed the laſter.

But are ſtopped by the Emperour.

But the Pope was diſpleaſed with that which was done, and diſdaining at the Emperour for other cauſes alſo, wrote to *Trent*, that ſuſpending the actions as few dayes as was poſſible, they ſhould, for reputation of the Councell, reſume them without reſpect. Another cauſe which, beſides this, had provoked the Pope and Cardinals, was, that *Ferdinand* deſiring to poſſeſſe *Tranſilvania*, which was aſſaulted by the Turkes on the other ſide, upon pretence to keepe it for the young ſonne of *John Vaivode*, *George Martinuccio*, Biſhop

Wherewith the Pope is diſpleaſed.

As alſo with the attempt of *Ferdinand*, againſt the Biſhop of *Veradin*.

Biſhop of *Veradino*, a man of excellent wiſedome, and great reputation in that Countrey, was willing to keepe it in liberty, and, to avoyd greater danger, not being able to conteſt with the Turkes and the houſe of *Auſtria* at once, made choice to joyne himſelfe with theſe, by whom counterpoyſing the Turkes, he held all in an even balance. Thoſe of *Auſtria* knowing that by gaining of this Prelat, they ſhould wholly obtain their purpoſe, *Ferdinand*, beſides other things which he did to oblige him more unto them, promiſed him a penſion of eighty thouſand Crownes, and the Emperour obtained of the Pope with great inſtance, to create him Cardinall, and (which was ſeldome uſed) to ſend the Cap, and to give him leave to weare the ſcarlet habit, which was not lawfull, becauſe he was a Monke of Saint *Baſil*: all which was done in the middeſt of October. But this vaine ſhew of honor being not eſteemed by the Biſhop, was not willing to preferre the intereſts of the houſe of *Auſtria*, before his Countrey, he was traiterouſly, and cruelly ſlaine, by *Ferdinands* Miniſters, the eighteenth of December, upon pretence that he held intelligence with the Turkes. This accident did exceedingly moove the Cardinals, who thought themſelves moſt ſacred and inviolable. They conſidered of what importance the example was, that a Cardinall ſhould be ſlaine upon fained calumnies, or for ſuſpicion. And they incited the Pope, who was forward of himſelfe, ſhewing him that the Cardinall was poſſeſſor of a great treaſure, to the value of a million, which belonged to the *Chamber*, being the goods of a Cardinall, dead without a Will. For all theſe reſpects the Pope deputed Cardinals to take knowledge of the crime, and *Ferdinand*, and his Miniſters of *Tranſilvania*, were thought to have incurred the cenſures. Commiſſioners were ſent to *Vienna* to make inquiſition. And, not to returne to ſpeake of this againe, I will ſay here, by way of anticipation, that the heat being abated, as the cuſtome is, becauſe that which was done could not be undone, not to raiſe any greater ſtirres, the proceeding was with much connivency; and though the proceſſe was made as *Ferdinand* would, yet nothing was prooved againſt the dead man, and the purpoſe to draw the inheritance to the *Chamber* died, becauſe little was found, in compariſon of that which was thought, *Martinuccio*, a man bountifull, having ſpent all in the publike ſervice, and that which was found being divided amongſt the Souldiers. The Pope declared *Ferdinand*, and all thoſe who were not preſent at his death, to be abſolved, with this addition, if the things deduced in the Progreſſe were true. Whereof the Emperours miniſters complaining, as if the integrity of *Ferdinand* were queſtioned, the Pope made the ſentence abſolute, and thoſe only, who were Authors of the murder, went to *Rome* to be abſolved; but ſo, as if they had done a good worke. And, in *Hungary* and *Rome* it was held, that it was done by command from him who had intereſt, according to the uſuall ſaying, that of every ſecret counſell he is Author, who receiveth profit by it. Yet this did *Ferdinand* no good, who ſhortly after for this and other cauſes, was chaſed out of *Tranſilvania*. But becauſe to ſpeake thereof, belongeth not to my purpoſe, I returne to the matter which I left.

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Ferdinand and his Miniſters were thought to have incurred the cenſures.

Ferdinand is abſolved, firſt conditionally, and then abſolutely.

The ſeventh day of February, the next Sunday before *Septuageſima*, the Goſpell of the Cockle being read, *Ambroſe Cigogna*, or *Storke*, (for ſo his

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Dutch name *Pelargo* is expounded) a *Dominican* Divine of the Arch-biſhop of *Triers*, preached; who, applying the name of Cockle to the heretiques, ſaid it was fit to tolerate them, when, without danger of greater miſchiefe, they could not be rooted out. This was tolde to the Proteſtants, as if he had ſaid, that it was lawfull not to obſerve the faith given: which raiſed a great tumult. Hee defended himſelfe that he ſpake of heretiques in generall, and ſaid no more than what the Goſpell it ſelfe doeth propoſe: but if he had ſaid that it was fit to extirpate them with fire, bonds, and halters, or any other way, he ſhould have done that which the Councell in the ſecond Seſſion did command: that he had ſpoken modeſtly, nor could a Sermon be made upon that Goſpell without ſaying as much. The Cardinall of *Trent*, and the Emperours Ambaſſadors did pacifie the commotion, but with difficulty, though it was manifeſt that the Friar ſpake not of keeping faith, not of the Proteſtants particularly, but of heretiques in generall. The Elector made this his pretence to depart, which he was reſolved to doe before, by reaſon of ſome ſecret intelligence, which he held with the French King, as alſo to recover his health; and ſo he departed in the midſt of February, leaving an opinion, that it was with the good liking of the Emperor, and with promiſe to returne quickly. Yet he paſſed not by *Iſpruc*, nor ſpake with the Emperour.

The Elector of *Triers* departeth from *Trent*.

The firſt day of Lent the *Stations* were, by affixion, publiſhed in *Trent*, in the ſame manner as in *Rome*, by the Popes graunt, to him that viſited the Churches; which gave entertainement to the Fathers and Divines, who, in regard of the intermiſſion of the Congregations, wanted buſineſſe. And before, being almoſt idle, they entertained themſelves in private meetings, diſcourſing variouſly, ſometimes of diſſolving, ſometimes of continuing the Councell, according to the newes which was brought. In the beginning of March, letters came from the Electour of *Saxony*, to his Ambaſſadours, giving them commiſſion to proſecute their inſtances in the Councell, and adviſing that hee was ready to goe to the Emperour in perſon; which put all men out of feare. But not long after, a generall rumor was ſpread, that the French King was confederate with the Proteſtant Princes, to make warre againſt the Emperour. The Electours of *Mentz*, and *Collen* departed the eleventh of March, and paſſing by *Iſpruc*, had very ſecret conference with *Cæſar*; and the Ambaſſadours of *Maurice*, fearing ſome danger, went ſecretly out of *Trent*, and returned home by divers wayes. Notwithſtanding all this, foure Divines of *Wittenberg*, and two of *Argentina* came to *Trent* afterwards, who, with the Ambaſſadours of that Duke did immediately deſire the Emperours Ambaſſadours, that the Synode might anſwere the propoſition already made, and begin the conference. The Legate anſwered, that the nineteenth of March, a day appointed for the Seſſion, approaching, it was neceſſary to give order for it, and to handle many other things, of which one ſhould bee, to finde a forme how to treate.

The Electors of *Collen* and *Mentz* depart from *Trent*.

The Divines of *Wittenberg* and *Argentina* come to the Synode.

Therefore that day a Congregation was made in the Legats houſe, and a reſolution taken to prolong the Seſſion untill the firſt of May. In this Congregation the Ambaſſador of *Portugal* was received, who preſented his *Mandat*,

The Ambaſſador of *Portugal* is received in Congregation.

Mandat, and made a ſpeech, and was anſwered in the uſuall forme, with praiſe and thankes to the King, and words of complement to the Ambaſſadour. But thoſe of *Wittenberg*, ſeeing no anſwere was made to their propoſitions, and that the Legate concealed the *Confeſſion*, preſented by them, which many deſired to have, and could not, having brought many printed copies, diſtributed them unto divers; which raiſed much noiſe, and ſome ſaid they deſerved puniſhment. For he, unto whom Safe Conduct is granted, is bound to give none offence unto him that granteth it. And this was eſteemed a publike offence. Yet in the end all was quieted. 1553

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The Ambaſſadours of *Witenberg* ſpread copies of their *Confeſſion*.

The Proteſtants, together with the Emperours Ambaſſadours, deſired often, that the action ſhould begin; which notwithſtanding was deferred, ſometimes under pretence, that the Legat was not well in health, ſometimes under divers others. The Emperours Ambaſſadours uſed all meanes to make them begin, and perſwaded the Proteſtants not to deſire an anſwere to the demands preſented by them, and afterwards not to deſire that the doctrine exhibited by them ſhould be examined. But as one difficulty was remooved by the Proteſtants, ſo another was ſtill raiſed by the Preſidents, ſometimes about the manner of treating, ſometimes about the matter with which to begin. But in the end, the Proteſtants, perſwaded by *Pictavius*, were content to begin where the others would. Yet, for all this, nothing was done. For the Legat, though very ſicke of great paſſions of minde, was thought to faine, that he might finde a pretence not to begin. The *Nuncii* were irreſolute, and the Biſhops did not agree among themſelves. For the adherents of *Cæſar*, Spaniards and others, moved by the Emperours Ambaſſadours, deſired to proceed: but the Papalins, ſuſpecting that the end of the Imperialiſts was come to the reformation of the Court of *Rome*, embraced all occaſions of delay. And becauſe the Dutch Biſhops were already departed, by reaſon of the rumors of warre, they expected the like occaſion alſo, eſpecially becauſe the advices of the Armes of the French King, and confederates of *Germany* againſt the Emperor, did continue, Proteſts, and Manifeſts being publiſhed, which alleadged, for a cauſe, the defence of Religion, and liberty of *Germany*. The firſt of April, the Elector of *Saxony* beſieged *Auſburg*, which did render it ſelfe the third day, and the ſixt, newes thereof came to *Trent*, and that all *Tirol* did arme, and meant to go to *Iſpruc*, there being an opinion, that the army of the confederates did purpoſe to poſſeſſe themſelves of the paſſages of the *Alpes*, to hinder ſtrangers from comming into *Germany*. Therefore many of the Italian Biſhops embarqued, and went downe the river *Adice*, to goe to *Verona*, and the Proteſtants determined to depart.

The Fathers of the Councell, and the Proteſtants depart from *Trent*, by reaſon of the rumors of war.

There remaining but few Prelates, and the Legate often doting, by reaſon of his great infirmity, not being able conſtantly to reſolve, the *Nuncii* fearing they ſhould be alone in *Trent*, if they expected the firſt of May, according to the order, wrote to *Rome*, deſiring to know what they ſhould do in theſe great ſtraits. The Pope, who already had concluded with *France*, nor eſteemed any more what the Emperor could doe, having overcome the difficulties by which he was compaſſed, aſſembled the Cardinals, and propoſed to them the advice of the *Nuncii*, the major part of whom did concurre,

The Legat doteth, and the *Nuncii* ſend to *Rome* to know what to doe.

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without difficulty, that the Councell ſhould be ſuſpended. The Bull was made, and ſent to *Trent*, and letters addreſſed to the *Nuncii*, giving them authority for the ſuſpenſion. Therefore, when they ſaw urgent neceſſity, they were commanded to yeeld unto it, not putting the dignity of the Councell in danger, which ſhould be reſtored, at another, more peaceable time; nor diſſolving it abſolutely, that they might keepe it in their power, and uſe it upon occaſions; but ſuſpending it, for ſome yeeres. The *Nuncii* concealed this anſwer, and conſulted with the Emperours Ambaſſadors, and the principall Prelats, who deſired that order ſhould be expected from *Cæſar*, and extenuate the feare as much as they could. Notwithſtanding the Prelates, though the major part were Spaniards, fearing their owne perſons, and hating the Proteſtants, and not hoping, that in ſo great ſtraits, the Emperour could not have time to thinke of the Councell, gave conſent to a ſuſpenſion. Therefore the *Nuncii* did intimate the publike Seſſion for the 28 of April; ſo great was their feare that they could not expect two dayes, the time appointed for it.

From whence they receive order to ſuſpend the Councell.

Thoſe few that remained did aſſemble; and, after the Eccleſiaſticall ceremonies were ended, (for the pompes were omitted at that time) the *Nuncio* of *Siponto* cauſed the Decree to be read, by the Secretary. The ſubſtance whereof was: That the Synode (the two *Nuncii* preſiding in their owne name, and in the name of Cardinall *Creſcentius* the Legate, grievouſly ſicke) is aſſured, that all Chriſtians doe know, that the Councell of *Trent* was firſt aſſembled by *Paulus*, and after reſtored by *Julius*, at the requeſt of *Charles* the Emperour, to reſtore Religion, eſpecially in *Germanie*, and to correct manners, and that many Fathers of divers Countreys did meet without ſparing any paines, or fearing any dangers, and that the proceeding was proſperous, with hope that the innovators of *Germanie* would come to the Councell, and yeeld to the reaſons of the Church: but that, by the ſubtility of the enemy, tumults are ſuddenly raiſed, which have interrupted the courſe, taken away all hope of proceeding, and given cauſe of feare, that the Synod would rather irritate the minds of many, than pacifie them. Therefore perceiving that every place, *Germany* eſpecially, is on fire with diſcords, and that the Dutch Biſhops, eſpecially the Electors, were departed to make proviſion for their Churches, it hath determined not to contend with neceſſity, but to be ſilent untill better times. And therefore they doe ſuſpend the Progreſſe for two yeeres, with condition, that if all be quiet before that time be ended, the Councell ſhall bee underſtood to be reſtored; but if the impediments ſhall not ceaſe at the end of two yeeres, it ſhall be underſtood that the ſuſpenſion is taken away ſo ſoone as the impediments are removed, without a new Convocation of the Councell, his Holineſſe, and the holy Apoſtolike Sea, having given conſent and authority to this Decree. And, in the meane time, the Synod doth exhort all Chriſtian Princes and Prelates, as farre as concerneth every one, to cauſe all the Decrees of the Councell, made untill then, to be obſerved in their Dominions, and Churches. This Decree being read, was approved by the Italians. The Spaniards, who were twelve, ſaid, that the dangers were not ſo great as they were made. That five yeeres ſince *Chiuſa* was taken by the Proteſtants, when no commander, but *Caſtel-*

Which is executed in Seſſion the 2 of April.

The Bull of the ſuſpenſion for two yeeres.

Is oppoſed by the Spaniſh Prelates.

alto,

also, was in *Tirol* to defend it, and yet the Councell did not dissolve. Now the Emperour was in *Ispruc*, by whose vertue those stirres would quickly cease; that the timerous should have leave to depart, as then they had, and those remaine that would, untill the Emperour were advised; who, being but three dayes journey distant, might returne a speedy answere. But the others, opposing popularly, the Spaniards protested against so absolute a suspension; notwithstanding, the *Nuncio* of *Siponto*, giving his benediction to the Fathers, gave them leave to take their journey. The *Nuncij* and Italian Prelates being departed, in the end, the Spaniard departed also, and so did the Emperours Ambassadours, and the Cardinall *Crescentius* was carried to *Verona*, where he died. 1552. IVLIVS 3. CHARLES 5. EDWARD 6. HENRIE 2. Who protest against the suspension. The Legate dieth in *Verona*

For the last part of the Decree, the *Nuncij* were much blamed in *Rome*, that the Synod had determined the observation of the Constitutions, without asking first the confirmation of the Apostolique Sea, alledging that this, having been exquisitely observed by all former Councels, was a great vsurpation and offence against the Papall authority. Some also made a scruple that all that assisted in that Session, had incurred the censure of the Canon, *Omnes, dist.* 22. having done a prejudice to a priviledge of the Popes authority, pretending that the Decrees of the Councell, were of force before the confirmation. They said for themselves, that they had not commanded but perswaded the observation. But the answere did not satisfie, because to observe as a law, doth presuppose an obligation, and in the Decree, the exhortation is referred only to Princes and Prelates, who are exhorted to cause the Decrees to be observed. And for the observers, a former obligation is presupposed, and for matter of faith, they said the answer could have no place. They might have excused themselves, and said, that every thing was approved by the Pope, before it was published in the Sessions. Neither would this have satisfied, because, though it was true, yet it did not appear. This gave occasion to wonder, that there should bee such a contention, betweene the Synode and the Protestants, concerning the things decreed, which the Protestants would have reexamined, and the Synod would have to be held as concluded. For if they were not perfectly established, they might bee reexamined. And they discoursed, that the Pope, who was to confirme them, was to doe it, either with taking knowledge of the cause, or without; if without, the confirmation was a vanity, and according to the proverbe, that none should take a potion, and another to be purged, if with it, then the Pope ought to examine them, and so might every one, and referre himselfe to his Holinesse. In sum, if the force of the Decrees of the Councell dependeth on the Popes confirmation, before that, they are in suspence, and may be questioned, and discussed better, which was alwayes denied to the Protestants. Some did conclude, that the Decree was a declaration that the confirmation was not needfull. The Protestants thought not of these reasons, which the stronger they are in the Doctrine of the Sea of *Rome*, so much the more the use of them would endammage their pretensions. But because there was no more speech of the validitie of this Decree in the yeere 1564. when the Councell ended, that which remaineth shall be deferred untill then. The Nuncij are blamed for the last part of the Decree. And their defence is not esteemed good

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Though the Protestants had the better in managing the war, yet *Maurice* treated friendly with *Ferdinand*, yea, went to him into his own Territories, desiring nothing of him, but the freedom of the *Landgrave*, his father in law, the liberty of *Germany*, and peace of Religion. The Protestants Armes did still proceed; and the Emperor, though he were not ready to make resistance, yet thinking he had *Germany* under his yoke; he would not leave any part of the domination which he had assumed: and *Ferdinand*, after he had treated with *Maurice*, went to *Isprue*, to perswade him. But the enemies Army approaching that City, the Emperor was forced to fly by night, with all his Court, and after he had wandred in the Mountaines of *Trent*, he came to *Villaco*, a City of *Carinthia*, at the confines of the Venetians; where he was much afraid, because the Senate, to secure the frontiers, sent Souldiers to that place, though the Venetian Ambassador did assure him that they were at his service, if there were occasion to employ them. Before he departed from *Isprue*, he set *John Frederick*, Duke of *Saxony* at liberty, to take the glory of his delivery from *Maurice*: which pleased that prince very much, whom it concerned more to be favoured by an enemy his superiour, than by an enemy his equall and emulous.

The Emperor flieth from *Isprue*.

And setteth *Frederick*, Duke of *Saxony* at liberty.

A few houres after the departure from *Isprue*, *Maurice* arrived there the same night; where not touching any thing that belonged to *Ferdinand*, or the Citizens, he made himselfe Lord of the Emperors baggage, and of the baggage of his Court. The Protestants seeing their advantage by this flight, published another *Manifest*, signifying in substance, that having taken armes for Religion, and the liberty of *Germany*, as the enemies of the truth had no other ayme, but that the holy Doctors being first oppressed, the Popish errors, might be restored, and the youth brought up in them, having imprisoned some, and made others sweare to depart, and not returne again, which oath doth not bind, because it is wicked, they did recall them all, and commaund them to resume their office of teaching, according to the *Augustan Confession*, and, to remove all calumnies, did absolve them from the oath taken. The treaty of peace still continuing, it was at last concluded in *Passau*, in the beginning of August, concerning all differences; and, for Religion it was thus ordered: that within six moneths, a Diet should be called, to consult how the discords in Religion might most easily, and commodiously be composed, either by a generall or Nationall Councell, or by a Colloquie, or universall Diet of the Empire. That in that Diet, an equall number of godly, humble and wise men of either Religion should be taken, charging them to consider of and propose the most convenient meanes; and, that in the meane speace, neither the Emperor, nor any other may force any in matter of Religion, against his conscience, or will, neither *De facto*, nor by forme of reason, nor do any thing in contempt, or to grieve any for that cause, but to let every man live in quiet, and in peace: and likewise that the Princes of the *Augustan Confession* may not molest the Ecclesiastiques or seculars of the old Religion, but let them enjoy their goods, Lordships, Superiorities, jurisdictions, and ceremonies; that in the *Chamber* justice bee administred to every one, without regard of what Religion he is, not excluding the Confessionists from the places they are to have amongst the assessors, and

Maurice taketh *Isprue*

The Protestants set forth a *Manifest*.

A Peace is concluded.

that

that it be free for the assessors, and for the litigants to sweare by God, and the Saints, or by God and the Gospel. And though there be no meanes of composition in Religion, yet this Peace shall remaine in force for ever. And so the *Interim* was abrogated, which had been really executed but in few places. The Landgrave of *Hassia* was delivered by vertue of this agreement, so that all difficulties with the Emperor did cease; yet the war continued a whole yeere, in many parts, betweene divers Princes and Cities of the Empire. But the Cities recalled their Preachers, and Doctors of the *Augustan Confession*, and restored the Churches, Schooles, and exercise of Religion; and though, in regard of the banishments and persecutions against the Doctors and Preachers; there remained but few of them, and those concealed under the protection of the Princes, yet as if they had risen againe, there wanted not to furnish all places. The warre hindered the assembling of the Diet designed, and deferred it from one yeere to another, untill February 1555. whereof we will speake in the fit place.

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The Interim is abrogated.

The Landgrave is set at liberty.

and the Protestant Preachers are recalled.

The Diet is deferred.

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THE FIFT BOOKE OF THE HISTORIE OF THE COVNCELL Of *TRENT.*

THe Pope, now freed from many cares, by the diſſolution of the Councell, thought fit to prevent all occaſions of relapſe, and propoſed in Conſiſtory the neceſſity to reforme the Church. He ſaid he had reduced the Councell to *Trent* for this end, which having not ſucceeded according to his deſire, in regard of divers accidents of warre, firſt in *Italy*, then in *Germany*, it was meet to doe that in *Rome*, which in *Trent* could not be done. He appointed therefore a great Congregation of Cardinals and Prelates, to conſider of the buſineſſe. He ſaid, he elected many, that reſolutions might be more mature, and have greater reputation; though his ende was thought to be, that, by reaſon of the multitude, more impediments might ariſe, and ſo all might come to nothing. And the event was judge. For the Reformation was handled in the beginning with great heate; afterwards it went on, for the ſpace of many moneths, very coldly; and, at the laſt, was buried in ſilence. And the ſuſpenſion of the Councell, inſtead of two yeeres, did continue tenne; verifying the maxime of the Philoſophers, that the cauſes ceaſing, the effects doe ceaſe alſo. The cauſes of the Councell were firſt the great inſtances of *Germany*, and the hope, conceived by the world, that it would cure all the diſeaſes of Chriſtendome. But the effects that were ſeene under *Paul* the third did extinguiſh the hope, and ſhew to *Germany* that it was impoſſible to have ſuch a Councell as they deſired. Of the ſecond reduction of the Synode there was another cauſe, which was the great deſire of *Charles* the Emperour to put *Germany* under his yoke, by meanes of Religion, and to make the Empire hereditary, by cauſing his ſonne to ſucceede him, and ſo to erect a Monarchie, greater than any ſince the Romane, even than that of

The Pope maiketh a great ſhew that he will reforme the Church.

The ſuſpenſion of the councell, made for two yeeres laſteth ten.

The cauſes of the two Convocations of the Councell.

Charles

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Charles the great. For this, the victories he had obtained was not ſufficient, neither did he thinke he could ſupply what was wanting by new forces only: but ſubjecting the people unto him by religion, and the Princes by treaties, he had conceived a vaſt hope to immortalize his name. This was the cauſe why he was ſo earneſt with *Julius* for the ſecond Convocation of the Councell, and of his effectuall perſwaſions (not to call them violent) to the three *Electors* to go thither, and to the Proteſtants, with whom he had power, to ſend their Divines. But while the Councell was celebrated, *Charles*, having put all Chriſtian Princes in jealouſie, found the firſt encounters in his owne houſe. For *Ferdinand*, though he ſeemed formerly to have conſented to make the Empire common to them both (as it was to *Marcus* and *Lucius*, with equall authority, an example followed by *Diocleſian*, and many others afterwards) and then to labour that *Philip* ſhould be choſen King of the Romanes to ſucceed them, (wherein *Charles* had employed his ſiſter, the Queen of *Hungary*, to perſwade him to it, for the advancement of their houſe) yet, better adviſed by his ſonne *Maximilian*, he began to change his opinion. To effect this buſineſſe, already ſet on foot, *Philip* was called by his father, that he might be knowne to the Electors, in the Diet of *Ausburg* in the yeere 1551, which made *Ferdinand* retire himſelfe, and the foreſaid Queen to goe thither, to make peace betweene the brothers. But *Maximilian*, fearing that his father out of his good nature, would yeeld, leaving the governement of the Kingdomes of *Spaine*, which the Emperour had given him, in the hands of his wife, the Emperours daughter, returned ſuddenly into *Germany*, by whoſe perſwaſions *Ferdinand* remained conſtant in his purpoſe, and *Charles* had nothing from the Electors but good words. By this oppoſition the Emperours edge was abated, who ſent his ſonne backe into *Spaine*, without hope ever to obtaine the conſent of *Maximilian*. And afterwards being compelled, by the foreſaid warre, to make an agreement, deſpairing of his ſonnes ſucceſſion, he laid aſide all thought of reſtoring the ancient religion in *Germany*, and, by conſequence, all care of the Councell, though he continued many yeeres after in the Empire. And the Court did care for it as little, becauſe none did deſire it. But divers accidents then happened, which though they ſeemed to make the ſuſpenſion perpetuall, yet, in the ſecret providence of God, did miniſter cauſes for the third Convocation, which the continuation of the ſtory requireth ſhould not be paſſed over in ſilence, in regard the knowledge of the cauſes doth helpe much to penetrate the effects, which happened after that the Councell was reſumed.

Charles uſeth means to make the Empire hereditary.

But cannot effect it.

Which cauſeth him to lay aſide all care of Religion and of the Councell.

1553. The Pope, ſeeing that the people of his obedience did not ſo much eſteem him, by reaſon of the alienation of *Germany*, did imitate *Eugenius* the fourth, who maintained the reputation which the Councell of *Baſill* tooke from him, by a ſhew of Grecians, and a ſhadow of Armenians; and the late example of his predeceſſor *Paulus* 3, who, when the contentions were hote, betweene him and the Emperour, for the tranſlation of the Councell to *Bolonia*, for which the people alſo did diſtaſte him, received, with many ceremonies, one *Steven*, by the name of Patriarke of *Armenia* the greater, with one Archbiſhop, and 2 Biſhops, who came to acknowledge him for the Vicar of CHRIST, and generall commander of the Church, and to render him obedience,

How the Pope maintained his reputation.

dience. According to these examples, *Julius* did receive with much pub- 1553
like solemnity one *Simon Sultakam*, elect Patriarke of all the people which
are betweene *Eupbrates* and *India*, sent from those Churches to be confirmed
by the Pope, successor of *Peter*, and Vicar of CHRIST. He ordained
him Bishop, and gave him the Patriarchall Robe with his owne hands, in
the Consistory; and sent him backe to his home, that the Churches might
not suffer in his absence, accompanied with some religious men, who un-
derstood the *Syriaque* tongue. All the discourse was, not only in *Rome*, but
throughout all *Italy*, of the immense number of the Christians in those
parts; and how much the lists of the Apostolique Sea were enlarged. And
particularly they spake of the great number of Churches in the City *Muzal*,
which, they said, was the old *Assur*, upon the river *Tigris*, from which *Ni-
nive*, renouned for the preaching of *Jonas*, was not farre distant, situated be-
yond the river. Under this jurisdiction they put *Babylon*, *Tauris*, and *Arbela*,
famous for the battaile betweene *Darius* and *Alexander*, with many Coun-
treys of *Assyria* and *Persia*. They found also the ancient Cities named in the
Scripture, and *Ecbatan*, which the stories doe call *Seleucia* and *Nisibi*. They
said that this man, elected by all the Bishops, was sent to the Pope for con-
firmation, accompanied with seventy persons, as far as *Jerusalem*, and from
thence by three, of whom one died, and another remained sicke in the jour-
ney, and the third, called *Caleti*, came with him to *Rome*. All these things
were printed, and very curiously read. The Pope received another also, na-
med *Marderius*, a *Jacobite* of *Assyria*, sent by the Patriarch of *Antioch*, to ac-
knowledge the Apostolike Sea, and give it obedience, and make profession
of the Romane faith. But the world being satiated with the former, did
not care for this second.

After these shadowes of obedience, which the *Sea* of *Rome* gained, there
succeeded one reall, and of great importance, which did abundantly recom-
pence whatsoever was lost in *Germany*. The sixt of July 1553, *Edward* King The King of
of *England* died, of the age of sixteene yeeres. Fifteene dayes before, he made *England* dieth.
a *Will*, with approbation of his Councell, wherein having declared that it did
belong to him to name the Successor, according to the laws of the King-
dome, he excluded his sisters, *Mary* and *Elizabeth*, because their legitimation
was doubted of, and all the posterity of *Margaret*, his fathers elder sister, as
strangers, not borne in the Kingdome, and named her Queen who followed
in order, that is, *Jane* of *Suffolke*, grand-child to *Mary*, formerly Q. of *France*,
and younger sister to his father *Henry* 8, by her daughter, notwithstanding
that the said *Henry* had, in his last Will, substituted *Mary* and *Elizabeth*, which
substitution he said was pupillary, and did not binde him now he was of
age. *Jane* was proclaimed Queen in *London*, and *Mary*, retiring her selfe in- *Jane* is proclai-
to *Norfolke*, that shee might commodiously passe into *France*, if there were med Queene
occasion, named her selfe Queene also, and was finally accepted by all the
Kingdome, alleadging in her favour the Testament of *Henry*, and that of a
Matrimony contracted *bona fide*, though there be a *nullity* in it, the issue is
legitimate. *Jane* and her adherents were imprisoned, and *Mary* entred into But *Mary* ob-
London, and was received with a generall applause, and proclaimed Queene taineth the
of *England* and *France*; and had the title of Head of the Church. Shee pre- Crowne.

sently

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sently set the prisoners at liberty, which her father had put into the Tower, partly for Religion, and partly for other causes. A little after her entry there arose a sedition in *London*, by occasion of one who tooke the boldnesse to preach Popery, and of another who did celebrate the Masse. To appease this trouble, which was very considerable, the Queen caused an Edict to be published, that she would live in the Religion of her Ancestors, and therefore would not permit that any thing should be preached to the people, but that which formerly had beene. Afterwards, the eleventh of October she was crowned with the usuall ceremonies. The Pope advertized hereof; considering that shee was brought up in the Catholique Religion, interrested in the respects of her mother, and cousin by bloud unto the Emperour, hoped he might make some entry into the Kingdome, and therefore did make Cardinall *Poole* his Legat, thinking, because he was of the blood royall, and of an exemplary life, he was the only instrument to reduce that Kingdome to the Church of *Rome*. The Cardinall, who had been banished by publique Decree, and deprived of his honour, thought it not fit to begin the enterprise, before he fully understood the state of things, being assured that the major part was still devoted to the memory of *Henry*. He therefore sent into *England* secretly, *Giovanni Francisco Commendone*, to informe him, and wrote a Letter to the Queene: in which, commending her perseverance in Religion in the time of her troubles, he exhorted her to continue in the times of her happinesse, recommended unto her the salvation of the soules of those people, and the restitution of the true worship of GOD. *Comendone* having observed every particular, and found meanes to speake with the Queene, though compassed and garded on every side, perceived she had never beene averse from the Romane faith, and had promise from her that she would labour to restore it into the whole Kingdome, which the Cardinall understanding, put himselfe into the voyage.

A sedition in *London* about Religion.

The Pope maketh Cardinall *Poole* his Legat for *England*.

In *England*, after the Coronation, a Parliament was held, in which the divorce of the Queens mother, *Katherine* of *Aragon*, was declared to be unlawfull, the marriage good, and the issue legitimate; which was obliquely to restore the Popes supremacy, in regard it could not be good, without the validity of the dispensation of *Julius* the second, and by consequence, not without the supremacy of the Sea of *Rome*. It was ordained also, that all the constitutions in matter of religion made by *Edward* should be abrogated, and that religion observed which was in use at the death of *Henry*. In this Parliament, they treated of marrying the Queene, though she were above fourty yeeres of age: and three were named: *Poole*, who had not taken holy *Orders*, though he was a Cardinall; and *Courtney*, both of the blood Royall, and first cousins of *Henry* the eight, in an equall degree, this of the white Rose, grand-childe of *Edward* the fourth, by his daughter, and that of the red Rose, Nephew to *Henry* the seventh by his sister; both acceptable to the Nobility of *England*; *Poole* for wisedome, and sanctity of life, and *Courtney* for his loving behaviour, and carriage. But the Queene preferred *Philip* Prince of *Spaine* before these, as well for the treaties made by her cousin *Charles* the Emperour, (her affection also inclining much more to the mothers side than to the fathers) as because shee thought she might better secure her owne and the

A Parliament is held, and the divorce of *Henry* the 8. declared to be unlawfull.

Popery is established.

And the marriage of the Queene is treated on.

the Kingdomes peace with that marriage. The Emperour, who did much desire to effect it, fearing that *Poole* might disturbe it, by his presence in England, knowing hee was departed Legate, made meanes by Cardinall *Dandinus*, The Popes Minister with himselfe, that hee should not part out of Italy so soone, saying, that as yet an Apostolique Legate could not goe into England with honour. But the letter of *Dandinus* not taking effect, and *Poole* being in his journey as farre as the Palatinate, hee sent *Diego Mendoza* to stop him by authority. It seemed strange to the Cardinall, and he complained that the Popes Legation was hindered with the damage of Christianity, and of the Kingdome of England, and joy of Germany. Therefore the Emperour, not to give so much matter of talke, made him goe to Bruxels, and entertained him in Brabant, untill the marriage was ended, and all things accommodated as hee would; and, for colour, imployed him to treate a peace betweene himselfe and the French King. 1554

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Untill the conclusion whereof the Emperor hindreth *Poole* in going into England.

In the beginning of the yeere 1554, the Emperour sent Ambassadours into England to make the conclusion: and the Queene proceeding to favour the olde Religion, did the fourth of March publish other Lawes, restoring the Latine tongue into the Churches, forbidding married men to exercise holy Functions, and giving order to the Bishops not to make them sweare, who were to bee received into the Clergie, as *Henry* had appointed, that the King was supreme Head of the Church of England, and that the Pope had no superiority there, but was Bishop onely of the City of Rome. She ordayned also that the forme of Prayer, instituted by *Henry*, where, amongst other things, God is prayed to deliver that Kingdome from sedition, conspiracy, and tyranny of the Pope, should be razed out of all the Bookes of Rites, and forbid to be printed. In Aprill another Parliament was held, in which consent was given to the contract of marriage: where the Queene proposed the restitution of the Popes supremacy; which shee could not obtaine, because the Nobility did resist, who considered not that they did vainely deny this demand, which was vertually contayned in their assent to the marriage. *Philip*, Prince of Spaine, arrived in England the eighteenth of July, and on Saint *James* day the Nuptials were celebrated, and he received the title of the King of Naples, and did consummate the Matrimony. In November there was a new Parliament, in which Cardinall *Poole* was restored to his honor and Countrey, and two were sent to invite and accompany him; with whom hee passed into the Island, and arrived at London the three and twentieth of November, with a silver crosse carryed before him. At his first entry into the Parliament, hee made a discourse in English before the King, Queene, and Orders of the Kingdome. Hee thanked them very much that hee was restored to his Countrey, saying, that in exchange, hee was come to restore them to the Countrey and Court of Heaven, of which they were deprived, by departing from the Church. Hee exhorted them to acknowledge the errour, and receive the benefit which GOD, by his *Vicar*, had sent them. The discourse was very long and artificiall; and the conclusion was, that hee had the Keyes to bring them into the Church, 1554

The celebration of the marriage.

Cardinall *Poole* commeth to London, with the crosse carried before him. And maketh an Oration in the Parliament.

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which they had ſhutte, by making Lawes againſt the Apoſtolique Sea: which when they did revoke, hee would open the doores unto them. The Cardinals perſon was well accepted, and an apparant aſſent was given to his Propoſition, though the major part did ſecretly abhorre the quality of a Popes Miniſter, and were grieved to come under the yoke againe. But they had ſuffered themſelves to be carried ſo farre, that they knew not how to returne.

The manner of the re-union with the Church of Rome.

The next day the re-union with the Church of Rome was decreed in Parliament; and the manner was thus ſet downe. That a Supplication ſhould bee made in the Parliaments name, wherein it ſhould be declared that they were very ſorry for having denyed obedience to the Apoſtolique Sea, and for having conſented to the Decrees made againſt it, promiſing to endeavour hereafter that all thoſe Lawes and Decrees ſhould bee aboliſhed, and beſeeching the King and Queene to intercede for them, that they may be abſolved from the crimes and cenſures, and received, as penitent children, into the boſome of the Church, to ſerve God, in obedience of the Pope and Sea of Rome. The laſt of November, Saint *Andrewes* day, their Majeſties, the Cardinall, and whole Parliament being aſſembled, the Chancellour asked the generality whether they were pleaſed that pardon ſhould be demanded of the Legate, and whether they would returne to the unity of the Church, and obedience of the Pope, ſupreme Head thereof; and ſome ſaying yea, and the others holding their peace, a Supplication was preſented to their Majeſties in the name of the Parliament; which beeing publiquely read, they roſe to deſire the Legate, who mette them, and ſhewed himſelfe willing to give them ſatisfaction; and cauſing the authority given him by the Pope to be read, hee diſcourſed how acceptable to God the repentance of a ſinner was, and how the Angels did then rejoyce for the converſion of that Kingdome: and all being on their knees, imploring the mercy of God, hee abſolved them; which beeing done, hee went to the Church with all the multitude, to give thankes to God. The

Ambaſſadours are appointed to goe to the Pope.

next day an Ambaſſage was deſtinated to the Pope, to render him obedience; for which were named *Anthony Browne*, Vicount Mountacute, *Thomas Thurley*, Biſhop of Ely, and *Edward Cerne*, who had formerly beene Ambaſſadour in Rome for *Henry* the eight, and was now to bee reſident there againe in that charge. Advice heereof came to Rome quickely; for which many Proceſſions were made, not onely in that City, but throughout all Italy, to give thankes to God. The Pope approoved what his Legate had done, and ſent a Jubely the foure and twentieth of December, alleadging in the *Bull* for a cauſe, that, like the Father of the family, having recovered his prodigall ſonne, it was meete that hee ſhould not onely ſhew domeſticall joy, but generally invite all to the ſame Jubilie; and hee praiſed and extolled the actions of the King, Queene, and people of England. The Parliament continued untill the midſt of January 1555. and all the ancient Edicts of the Kings to puniſh heretickes, and of the Juriſdiction of Biſhops were renewed, the Primacy, and all prehe-

For which Proceſſions are made in Rome.

minencies of the Pope reſtored, all contrary Decrees made within twentie yeeres laſt paſt, as well by *Henry*, as by *Edward*, aboliſhed, the penall

Lawes

Lawes againſt heretiques revived, and many were burned, eſpecially Biſhops, who would perſevere in the reformation aboliſhed. It is certaine that one hundred ſeventy and ſixe perſons of quality were burned that yeere, for Religion, beſides many of the common ſort, which gave but little content to that people, who alſo were diſpleaſed that *Martin Bucer*, and *Paulus Fagius*, dead foore yeeres before, were cited and condemned, as if they had beene living, and their bodies digged up, and burued; an action, commended by ſome as a revenge to what *Henrie* the eight had done againſt S. *Thomas*, by others compared to that which the Popes, *Stephanus* the ſixth, and *Sergius* the third, did againſt the Corps of Pope *Formoſus*. 1554 PAUL 4. CHARLES 5. MARIE HENRIE 2. Many are burdened for Religion in *England*

Many alſo were at the ſame time burned in France for Religion: not without the indignation of honeſt men, who know that the diligence uſed againſt thoſe poore people, was not for piety, or Religion, but to ſatiate the covetouſneſſe of *Diana Valentine*, the Kings Miſtris, to whom he had given all the confiſcations of goods made in the Kingdome for cauſe of hereſie. It was wondred alſo that thoſe of the new reformation, ſhould meddle with blood, for cauſe of religion. For *Michael Servetus* of *Tarragona*, made a Divine of a Phyſician, renewing the old opinion of *Paulus Samoſatenus*, and *Marcellus Anciranus*, that the Word of God was not a thing ſubſiſting, and therefore that Chriſt was a pure man, was put to death for it in *Geneva*, by counſell of the Miniſters of *Zuric*, *Berne*, and *Schiaffula*: and *John Calvin*, who was blamed for it by many, wrote a booke, defending that the Magiſtrate may puniſh heretickes with loſſe of life: which Doctrine being drawne to divers ſences, as it is underſtood more ſtrictly or more largely, or as the name of hereticke is taken diverſly, may ſometime doe hurt to him, whom another time it hath helped. And in *France* alſo. Which was done to ſatiate the covetouſneſſe of Diana *Valentina*. *Michael Servetus* is burned in *Geneva*.

At that time *Ferdinand*, King of the Romanes, publiſhed an Edict to all the people ſubject unto him, that in points of Religion, and Rites, they ſhould not innovate, but follow the ancient cuſtomes; and particularly that, in the holy Communion, they ſhould bee content to receive the Sacrament of bread onely. Wherein though many perſons of note, the Nobility, and many of the Cities made Supplication unto him, that, at the leaſt, the *Cup* might be granted them, ſaying that the inſtitution was of Chriſt, which might not bee altered by men, and that it was the uſe of the old Church, as was confeſſed by the Councell of *Conſtance*, promiſing all ſubmiſſion and obedience in all other things, praying him not to burthen their conſciences, but to accommodate his commandement to the orders ſet downe by the Apoſtles, and of the Primitive Church, yet *Ferdinand* perſevered in his reſolution, and anſwered them, that his commandement was not new, but an ancient inſtitution, uſed by his Anceſtors, Emperours, Kings, and Dukes of Auſtria: and that the uſe of the *Cuppe* was a novity, brought in by curioſity, or pride, againſt the Law of the Church, and conſent of the Prince. Yet hee moderated the rigour of the anſwere, ſaying, that the queſtion being of a point that concerneth ſalvation, hee would thinke of it more diligently, and anſwere them in fit time; but that, in the meane while, hee expected from them obedience, and obſervation of the Edict. He publiſhed alſo a Catechiſme the fourteenth of

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Auguſt, made, by his authority, by ſome learned and pious Divines, commaunding all the Magiſtrates of thoſe Countries, not to ſuffer any Schoolemaſters to reade any but that, either in pulique or in private, becauſe, by divers Pamphlets which went about, Religion was much corrupted in thoſe Countreys. This conſtitution diſtaſted the Court of Rome, becauſe it was not ſent to the Pope, to bee approoved by his authority, nor came foorth in the name of the Biſhop of the Countrey, the ſecular Prince aſſuming the office, to cauſe to bee compoſed, and to Authorize Bookes in matter of Religion, eſpecially by name of Catechiſme, to ſhew that it belonged to the ſecular power, to determine what religion the people ſhould follow, and what refuſe.

The two yeeres of the ſuſpenſions of the Councell being expired, they treated in the Conſiſtory what was fit to bee done. For although the condition in the Decree was, that the Councell ſhould be of force againe when the impediments were remooved, which did ſtill continue, by reaſon of the warres of Siena, Piemont, and others, betweene the Emperour and the French King, yet it ſeemed that any man of an unquiet Spirit might ſay that thoſe impediments were not ſufficient, and that it was underſtood that the Councell was on foote againe, ſo that, to free themſelves from thoſe dangers, it might be good to make a new declaration. But wiſer men gave counſell nor to moove the evill while it was quiet, while the world was ſilent, while neither Prince nor people demaunded the Councell, leſt by ſhewing they were afraid, they might excite others to require it. This advice prevayled, and made the Pope himſelfe never to ſpeake more of it.

It is reſolved in *Rome*, not to ſpeake of the Councell though the two yeeres of ſuſpention were ended.

1555 A Diet is held in Ausburg to compoſe the differences in Religion

In which, *Ferdinand* maketh an Oration.

In the yeere 1555, there was a Diet in Ausburg, which the Emperour hath intimated, principally to compoſe the controverſies of Religion, in regard this was the fountaine of all the troubles, and calamities of Germanie, with the loſſe not onely of the lives of many thouſands of men, but of their ſoules alſo. *Ferdinand* began the Diet, in the Emperours name, the fifth of February; where hee ſhewed at large, the lamentable ſpectacle of Germany, in which men of the ſame Baptiſme, Language, and Empire, were diſtracted by ſo various a profeſſion of Faith, there ariſing new Sectes every day: which did ſhew not onely ſmall reverence towards God, and great perturbations of mens mindes, but was cauſe alſo that the multitude knew not what to beleeve, and that many of the principall Nobility and others were without all faith, and honeſty, making no conſcience of their actions, which tooke away all commerce: ſo that now it could not bee ſaid that the Germanes were better than the Turkes, and other barbarous people; for which cauſes God hath afflicted it with ſo great calamities. Therefore it was neceſſary to take in hand the buſineſſe of Religion Hee ſaid a generall, free, and pious Councell was formerly thought the onely remedy. For the cauſe of Faith beeing common to all Chriſtians, it ought to bee handled by all: and the Emperour imploying all his forces heerein, did cauſe it to bee aſſembled, more than once. But therewas no neede to ſay why no fruit came by it, it being well knowne to all that were preſent. Now if they deſired to proove the ſame

remedy

remedy againe, it was neceſſary to remoove the impediments, which did hinder them from attaining the wiſhed end. But, if by reaſon of the accidents that occurre, they thought fit to deferre this untill another time, they might treate of uſing other meanes. They knew not how to make uſe of a Nationall Councell, becauſe the manner, forme, and name of them were diſuſed. The Colloquies, whereof they had often made proofe, did no good, becauſe both parties aymed more at private gaine, than publique piety and utility. Yet hee ſaid they were not to be deſpiſed now, if they would lay aſide the obſtinacy of their private affections; and counſelled them to trye them once more, if the Diet did not propoſe a better way. 1555 MARCELLVS CHARLES MARIE HENRIE And Propoſeth a Colloquie.

This propoſition was made by *Ferdinand*, with others, concerning the peace and warre with the Turkes, that it might paſſe through Germany, and ſerve to invite men to the Diet, to which very few were come. But it was ill expounded, in regard of his former Edict, publiſhed in his States, much contrary to this propoſition, and *more*, in regard of the execution of it, having chaſed more than two hundred Preachers out of Bohemia. And it went to Rome alſo; where the Pope, curſing, as hee uſually did, the Colloquies, and inventors of them, complained that there was no end of theſe difficulties; and that he was to have a Councell, a Colloquie, or a Diet alwayes on his backe. Hee blamed thoſe times for being ſo full of troubles, praiſing former ages when the Popes might live quietly, not being in feare of their authority. Yet he was comforted by the perfect ſubjection of England to his obedience, by the decrees made in his favour, by the Letters of thankes which he received, and with the promiſe that a ſolemne Ambaſſage would come ere long, to thanke him perſonally for his fatherly clemency and benignity, and to promiſe him obedience. Wherewith being well pleaſed, hee could not chooſe but jeſt, and ſaid, that he did enjoy ſome part of happineſſe, in that he was thanked by thoſe unto whom he owed thankes. Which diſpleaſeth the Pope. Who is conſolated with the obedience of England.

But though the Pope had little hope of Germany, yet not to neglect it, nor any overture that might bee made, in propoſing meanes to reduce to the Church thoſe that wandered, he ſent Cardinall *Morone*, for his Legate, to the Imperiall Diet, with inſtructions ever to lay before them the example of England, and, by that, to exhort Germany to know their diſeaſe, and receive the ſame cure; and, above all, to divert all *Colloquies*, and treaties of religion. The Cardinall was no ſooner arrived in Ausburg, but Pope *Julius* died, whereof he received advice eight dayes after. he therefore departed the laſt of March, together with the Cardinall of Ausburg, to aſſiſt at the election of the new Pope. He ſendeth Cardinall Morone to the Diet. And dieth preſently after.

Before they came, *Marcellus Cervinus*, Cardinall *di Santa Croce*, was elected Pope in Rome, the ninth of Aprill, a man grave, and ſevere by nature, and of a conſtant minde, which he was willing to demonſtrate in the firſt action of his Papacy, by retaining the ſame name, ſhewing the world that his dignity had not changed him, contrary to that which ſo many of his predeceſſors had done. For after the changing of the names began, becauſe Dutch men were made Popes, to whoſe names Romane *Marcellus Cervinus* is created Pope, and retaineth his name.

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cares were not accuſtomed, all that followed obſerved the ſame uſe, ſignifying thereby that they had changed their private affections into publique and divine cares. But this Pope, to ſhew that in his private eſtate he had thoughts worthy of the Popedome, would, by retayning the ſame name, ſhew his immutability. Another action of his alſo was like to this. For the capitulations made in the Conclave beeing preſented to him, that hee might ſweare to them, hee anſwered it was the ſame thing, which he had ſworne a few dayes before, and that he would obſerve it by deeds and not by promiſes. The holy weeke which then was celebrated, and Eaſter holy dayes approaching, but the Pope, by the aſſiduity of Eccleſiaſticall ceremonies into an indiſpoſition. Yet his thoughts were ſtill fixed on the things hee had deſigned with many Cardinals, before his Popedome, to which hee did never thinke hee ſhould aſcend; and particularly he imparted his purpoſe to the Cardinall of Mantua, to compoſe the differences of Religion by a Councell, which hee ſaid did not formerly ſucceede well, becauſe a good courſe was not taken. That it was neceſſary firſt to make an intire reformation, by which the reall differences would bee accorded; which being done, the verball would partly ceaſe of themſelves, and partly would be compoſed with ſome ſmall paines of the Councell. That his Predeceſſors for five ſucceſſions, abhorred the name of reformation, not for any bad end, but becauſe they were perſwaded that it was ſet on foote, to pull downe the Papall authority. But his opinion was contrary, and that nothing could more preſerve it than that, yea, that it would bee a meanes to enlarge it. For obſerving things paſt, every one might ſee, that only thoſe Popes who have made reformations, have advanced and inlarged their authority. That the reformation did not alter any thing but that which was for ſhew and vanity, not only of no moment, but of charge and burthen; as ryots, pompes, great traines of Prelates, exceſſive, ſuperfluous, and unprofitable charges, which doe not make the Papacy venerable, but rather contemned; which vanities being cut off, the true power, reputation, and credit with the world will increaſe, together with the revenue and other ſinewes of government, and above all, the protection of God, which every one may aſſure himſelfe doth worke in conformity of ones proper duty.

He purpoſeth to make a reformation.

And is cenſured by the Court.

Theſe deſignes, publiſhed in Court, were, by his wel-wilers, adorned with the titles of Piety, love of Peace, and Religion; but ſome, that were emulous, ſayd the ende was not good; that the Pope did ground himſelfe upon Aſtrologicall predictions (following his fathers ſteps, who became great by that profeſſion) which, as ſometimes, either by chance or otherwiſe, they ſucceede, ſo, for the moſt part, they are occaſions of the fall of many. Amongſt the Popes particular deſignes, one was, to inſtitute a Religion of an hundred perſons, like unto a Cavalary: of which himſelfe would be Head, and make the election, taking them out of any other Religion, or ſtate of perſons; every one of which ſhould have yeerely five hundred crownes out of the *Chamber*, ſhould take a very ſolemne and ſtrict Oath of fidelity to the Pope, ſhould not bee aſſumed to any other degree, nor have any more revenue, except, for their deſerts, they

He purpoſed to inſtitute a religion of an hundred perſons.

they were created Cardinals; in which case they were not to forsake the company. These onely hee would imploy for *Nuncii*, and ministers of busineſſes, Governours of Cities, Legates, and in all other occasions of the Apoſtolique Sea. And many learned men, Inhabitants of Rome, whom himſelfe did know, were named, and others put themſelves forward to receive this honour. The Court was full of the expectation of many novities; Which were all buried in silence, becauſe *Marcellus*, firſt weakned by the paines he tooke in the long great ceremonies, as hath bin ſaid, afterwards taken with an apoplexie, died the laſt of the moneth, the other aſtrologicall predictions of his father and his owne, which were extended a yeere after that time, being not verified. 1555 MARCELLVS CHARLES 5. MARIE. HENRIE 2.

But dieth before any thing was effected, having ſate but 22 dayes.

The Cardinals being aſſembled againe in the *Conclave*, hee of Ausburg, aſſiſted by *Morone*, made great inſtance, that among the capitulations which the Cardinals were to ſweare unto, one ſhould bee, that the future Pope ſhould, by counſell of the Colledge, call an other Synode, within two yeeres, to finiſh the reformation begun, to determine the controverſies of Religion that remained, and to finde a meanes to cauſe the Councell of *Trent* to bee received in Germany. And the Colledge of the Cardinals beeing full, it was capitulated that the Pope ſhould not create more than foure within two yeeres. The three and twentieth day of the next Moneth, *John Peter Caraffa*, who called himſelfe *Paulus Quartus*, was created, the Imperialiſts reſiſting as much as they could. For hee was thought not to be the Emperours friend, in regard of the old diſtaſtes which he received in the King of Spaine his Court, where he ſerved eight yeares, in the life time of the Catholique King *Ferdinand*, and becauſe the poſſeſſion of the Arch-biſhoprique of Naples was denyed him, a few yeeres before, by the common inclination of the Barons of that Kingdome. Whereunto was added the ſeverity of his manners, which made the Court ſad, and put in greater feare of reformation, than it formerly had in the treaties of the Councell. The ſtrictneſſe of his life, concerning his perſon and family, he laid aſide immediately after his creation. For being demaunded by his Steward what diet hee would have provided for him, he anſwered ſuch as befitteth a Prince: and would be crowned with greater pompe than was uſuall, affecting, in all his actions, to keepe his degree with magnificence, and to appeare ſtately and ſumptuous. To his Nephewes and kinſmen hee was as indulgent as any of his Predeceſſours. Hee affected to hide his ſeverity towards others, by ſhewing the greateſt humanity, but within a ſhort time hee returned to his owne naturall diſpoſition.

Two capitulations; one to call another Councel within two yeeres, another not to make above 4 Cardinals within two yeeres.

Iohn Peter Caraffa, called *Paul* the 4. is created Pope.

Of whoſe severity the Court is afraid.

Hee tooke it for a great glory that the three Engliſh Ambaſſadours diſpatched in the time of *Julius*, entred Rome the firſt day of his Papacy: and the firſt Conſiſtory after the Coronation was publique. The Ambaſſadours, were brought into it, who proſtrating themſelves at the Popes feete, did, in the name of the Kingdome, acknowledge the faults committed, relating them all in particular (for ſo the Pope would have it) confeſſing they had beene ungratefull for ſo many benefits received from the Church, and humbly craving pardon for it. The Pope did par-

The Engliſh Ambaſſadors are received in the firſt Conſiſtory after the coronation.

don

1555 don them, tooke them up from the ground, and imbraced them: and, to honour their Majesties who sent them, gave the title of a Kingdome to Ireland, graunting them this dignity by the authority which the Pope hath from God, being placed over all Kingdomes, to supplant those that are contumacious, and to build new. Men of judgement, who then knew not the true cause of that action, thought it a vanity, not seeing what profit, either of authority or honour, it might bring to a King, to have many titles in the Countrey which hee possesseth, considering that the most Christian King is more honoured by the onely title of King of France, than if his States were divided into as many Kingly titles as hee hath Provinces. Neither did it then seeme a fitte time to say, hee had power from God to build up, and overthrow Kingdomes. But those that knew the true cause, did not thinke it vaine, but a secret, usually practised a long time. *Henry* the eight, after his separation from the Pope, made Ireland a Kingdome, and called himselfe, King of England, France, and Ireland; which title, continued by *Edward*, was assumed by *Mary*, and her husband. The Pope so soone as he was created, entred into a resolution that the title of Ireland should not bee used by those Princes, affirming constantly that it belonged onely to him, to give the name of a King. But it seemed hard to induce England to quit that which two Kings had used, and the Queene, not thinking much of it, had continued. Therefore hee found a temper, that is, to dissemble the knowledge of what *Henry* had done, and himselfe to erect the Island into a Kingdome, that so the world might beleeve that the Queene had used the Title as given by the Pope, not as decreed by her Father. And the Popes have often given that which they could not take from the professors, and to avoyde contentions, some have received their owne goods as gifts, and some have dissembled the knowledge of the gift, or of the pretence of the giver. In the private discourses betweene the Pope and the Ambassadours, he found fault that the Church goods were not wholly restored, saying that by no meanes it was to bee tolerated, and that it was necessary to render all, even to a farthing; because the things that belong to God can never be applyed to humane uses, and hee that withholdeth the least part of them, is in continuall state of damnation. That if he had power to grant them, he would doe it most it readily, for his fatherly affection which hee beareth to them, and for the experience hee hath of their filiall obedience. but his authority was not so large, as that hee might prophane the things dedicated to GOD, and let England bee assured that this would bee an *Anathema*, and an contagion, which, by the just revenge of God, would alwayes hold the Kingdome of England in perpetuall infelicity. He charged the Ambassadours to write thereof immediately, and was not content to speake of it once, but repeated it as often as there was occasion. Hee said also plainely, that the *Peter-pence* ought to be paid, as soone as might bee, and that, according to the custome hee would send a Collector for that purpose, that himselfe had exercised that charge three yeeres, having beene sent into England for that end, wherein hee was much edified, by seeing the forwardnesse of the

MARCELLVS. CHARLES. 5

MARIE. HENRIE. 2

The Pope giveth to Ireland the title of a Kingdome.

Which was taken before without the consent of any Pope.

Popes have often given that which they could not take from the possessors.

The Pope commandeth the restitution of Church goods in England.

And the payment of *Peter pence*.

the people to contribute, especially of those of the meaner sort; and tolde them often that they could not hope that Saint *Peter* would open heaven unto them, so long as they usurped his goods upon earth. This relation made unto the Queene, with many other treaties, continued successively from Rome, caused her to imploy all her spirits herein; but nothing could be done, because many of the Nobility, and of the *Grandies* had incorporated many of the revenues into their houses. For her selfe she restored the tenths, and all other Ecclesiasticall goods annexed to the Crowne, by her brother, and her Father. The Ambassadors parted from Rome, with much praise, and favour from the Pope, for their submission, a meanes by which his good will is easily gained. 1555 IVLIVS 3 CHARLES 5 MARIE HENRIE 2.

The Queene maketh restitution, which her people refuse to doe.

Immediately after the Creation of the new Pope, the Imperialists and French-men, did vie who should gaine him. But the Cardinall of Loraine, who well knew his humour, confirmed his affection towards the French, telling him in Consistory, and in many private Treaties besides, that the King did know that the Church of France had neede of reformation, and was ready to assist his Holinesse, either by sending Prelates to the Councell, if hee thought fit, or by any other meanes that should seeme good unto him.

Contentions doe arise in the Diet of Ausburg.

In the meane space the Diet of Germany was prosecuted, not without contentions; which would have beene greater if Cardinall *Morone* had remained there, as well for the negotiations he would have made, as for the suspicions conceived by the Protestants, that hee was sent onely to oppose their commodities. And it was already published every where that Rome was full of hope, that Germany would quickly come under the yoke, as England had done. After the Cardinals departure, the first difficulty was; whether the points of religion should be discussed first of all; which though the Ecclesiastiques did contradict in the beginning, yet it was finally resolved, by common consent to begin there. Wherein there were two contrary Propositions; One to treat of the meanes to reforme it; the other to leave every one to his liberty: about which point there was very great controversie. But in the end, all inclined to the second proposition, not knowing how to root out the evill which did still move, only hoping that when the humours were quiet, and the differences and suspicions removed, many easie and commodious wayes might be found out. For this, it was necessary to establish a peace, that for cause of Religion there might be no more warre, and that it might be lawfull for all the Princes and States of the Empire to follow and cause to be observed in their Dominions what Religion pleased them best. Which resolution, when it came to be established raised greater controversies. For those of the *Augustan Confession* did pretend, that it was lawfull for all to accept their doctrine, retaining the honours, States, and Degrees which they possessed. On the contrary, the Catholiques would not have it permitted to the Ecclesiastiques to change their Religion, and keepe their degree, but that if a Bishop or an Abbot did embrace the other Religion, he should loose his dignity. Neither would they have it permitted to the Cities, which seven yeeres since had received the Decree of the

Interim

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Interim made in Ausburg, to returne to the *Augustan Confession*.

But at last a Peace of Religion is concluded.

Writings passed on both sides concerning this, and, at the last, the rigour of either party was abated. The Catholiques were content that the Cities should doe as they pleased, and the Protestants gave over their pretence concerning the Ecclesiastiques. And the five and twentieth of September the *Recesse* was made, that a Generall or Nationall Councell (neither of which could bee assembled in regard of many difficulties) being necessary to determine lawfully the causes of Religion, untill a way might bee opened unto a friendly agreement throughout all Germany, the Emperour *Ferdinand*, the Catholique Princes and States, should not force the Princes, Orders and States of the *Augustane Confession* to forsake their Religion and Ceremonies already instituted, or to bee instituted in their Dominions, nor should doe any thing in contempt thereof, nor hinder them in the free use of that Religion: and those of the *Augustan Confession* ought to behave themselves in the same sort towards *Cæsar*, *Ferdinand*, and the other Princes and States of the olde Religion, as well Ecclesiasticall as Secular, every one having power to establish in his owne State what Religion hee will, and to forbid the other. And if any Ecclesiastique shall abandon the old Religion, it shall be no infamy unto him but hee shall presently loose his Benefices, which shall be conferred upon others by the Patron; and the Benefices, which the Protestants have already annexed to Schooles and Ministeries of the Church shall remayne in the same state. That Ecclesiasticall jurisdiction shall bee exercised no more against those of the *Augustane Confession*; but, otherwise, shall bee exercised according to the ancient custome. The *Recesse* being made, another difficulty arose; for the removing of which, *Ferdinand*, using the absolute Imperiall authority of his brother, did declare with consent of the Ecclesiasticall Order, that the Titulars, Cities, and Communities, subject to Ecclesiasticall Princes, who have adhered many yeeres to the *Augustane Confession*, and received long since the Rites and Ceremonies thereof, and doe observe them still, may not bee compelled by their Princes to change them, but may continue in them untill a generall concord in Religion, which shall be concluded.

Of which the Pope complaineth to the Emperors Ambassador, and Cardinall of Ausburg.

Pope *Paul* understanding of this *Recesse* of *Ausburg*, was exceeding angry; Hee complained thereof to the Emperours Ambassadour, and to the Cardinall of Ausburg, reprehending *Ferdinand* for suffering a treaty in matters of Religion, without the knowledge of the Apostolique Sea, and threatning that in due time hee would make the Emperour, and that King know to their griefe, how they had offended him: hee exhorted them to prevent it, by revoking and disallowing the things graunted, that hee might have no occasion to proceede, as hee meant to doe, not onely, against the Lutheranes, but even against them also, as Abettors: offering to assist them, in case they should doe it by authority and Armes, and to command all Christian Princes, upon paynes and censures, to ayde them with all their forces. He was not satisfied with the Ambassadours answere, who alleadged the strength of the Protestants, the warre against *Cæsar*, in which he was like to be prisoner in *Isprue*, and the Oathes taken. For the Oathes,

Oathes, hee answered that hee freed and absolved them, yea, commaunded not to observe them. To the rest hee said, that in Gods cause, one must not proceed according to humane respects. That the Emperour was in danger by Gods permission, because he did not what he could and ought to doe, to reduce Germany to the obedience of the Apostolicall Sea: that this is but a token of GODS anger, and that hee must expect greater punishment if hee take not warning by it: but carrying himselfe as a Souldier of Christ undauntedly, and without worldly respects, he shall obtaine all manner of victory, as the examples of the times past doe demonstrate. 1555 IVLIVS 3. CHARLES 5. MARIE. HENRIE 2.

The fame was that the Pope was mooved to say so, not onely by his owne inclination, but by the perswasion of the Cardinall of Ausburg, who was displeased with the liberty granted to the *Confessionists*. It is certaine that *Paul*, being of an high spirit and vast thoughts, did assure himselfe that he could redresse all the disorders, by his Papall authority onely, nor had need of any Prince herein. Therefore he never spake with Ambassadours but he thundred in their eares, that he was above all Princes, that he would not that any of them should bee too domesticall with him, that hee could change Kindomes, that hee was successor of him who hath deposed Kings and Emperours, and did often repeate, for a beginning of authority exercised by him, that hee had made Ireland a Kingdome, and went on so farre, that, in Consistory, and at his Table publiquely, in the presence of many, he said, he would not have any Prince for his Companion, but all subjects under his foote (so he said, striking it against the ground) as it is fit, and as it is his will who hath built the Church, and hath placed them in this degree. And sometimes he would say, that, rather than hee would doe any thing basely, we would die, overthrow all, and set the whole world on fire. *Paul* had vast thoughts, and was exceeding proud.

Paul the fourth was naturally of a lofty minde and courage, and trusted much in his knowledge and good fortune, which did accompany him in all his actions: whereunto the power and fortune of the Papacy being added, he thought every thing was easie. But two humours did flote in him by turnes; one, which by custome to make use of Religion in all his attempts, did induce him to imploy his Spirituall Authority: the other was put into him by *Charles Caraffa*, his Nephew, who being valiant, and exercised in warre, made Cardinall of a Souldier, did retaine his martiall spirits, and perswaded him to use his temporall power, saying, that the one without the other is despised, but, beeing joyned, are instruments of great matters. The circumspect old man, knew well that the Spirituall is made weaker, when it is manifested that there is need of the Temporall. But being ever intent to make his name great, sometimes hee gave eare to his Nephew, and sometimes hee beleeved himselfe more. In the end hee concluded to use the Temporall secretly, and the Spirituall openly, that, proceeding with this, hee might adde, or omit the other, as hee should be advised by the events. Therefore hee treated most secretly, by his Nephew, with the Cardinall of Loraine, a league with the French King, which being almost made, Loraine parted from Rome, to take away suspicion, and the He treateth a League with the French King.

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the Cardinall *Tornon* went thither, with whom it was concluded, with the ſame ſecrecy. The principall capitulation whereof was, the gayning of the Kingdome of Naples for a yonger ſonne of the King, with great enlargement of the bounds of the Eccleſiaſticall ſtate; whoſe confines were to be S.*Germano*, *Garigliano*, and, on the further ſide of the *Apennine*, the River *Peſcara*, beyond *Beneventum*: and ſome things beſides were yeelded unto for the Popes benefit.

And createth Cardinals, contrary to his Oath.

The Pope alſo that he might have a prop to leane on in both courſes, thought it neceſſary to make a promotion of Cardinals, dependants on himſelfe, men of courage, who would not be afraid to proſecute his deſignes, and imploy themſelves in any hard enterpriſe. He beganne to ſpeake of this promotion but a few dayes before he made it; which grieved the Cardinals, for that hee would contradict the Capitulation which he had ſworne: and the Imperialiſts, above all, conſidering the quality of the perſons to be promoted, purpoſed to oppoſe. The twentieth of December, the Pope being entred into the Conſiſtory, ſaide, ſo ſoone as hee ſate downe, that he would not give audience to any that day, becauſe hee had greater matters to propoſe. Every one underſtanding by this that his meaning was to create new Cardinals, the Cardinall of Saint *James* went to his ſeate, to ſpeake with him; and the Pope refuſing, and the Cardinall not deſiſting, hee ſet his hand on his breſt, and thruſt him from him. All being ſet, the Pope began to complaine of thoſe who reported hee could make but foure Cardinals, in regard of that which he had ſworne in the *Conclave*, and ſaid, that this was to binde the Popes authority, which is abſolute; that it is an Article of Faith that the Pope cannot be bound, and much leſſe can binde himſelfe; that to ſay otherwiſe was a manifeſt hereſie; from the guilt whereof he did abſolve thoſe that were faulty, becauſe hee thought they did not ſpeake obſtinately: but hereafter if any ſhall ſay the ſame, or the like, againſt the authority given him by God, he will give order that the *Inquiſition* ſhall proceede. He added, that he would make Cardinals, and would not have any contradiction, becauſe he wanted perſons for imployment, which hee could not put upon them, becauſe every one had his proper faction: that it was fit to promote men of learning, and of exemplary life, to employ them for Reformation of the Church, eſpecially in the Councell, whereof it was high time to treat ſeriouſly, which he would propoſe with the firſt occaſion. But now he would name unto them the perſons to bee promoted to the Cardinality (a thing not to bee deferred any longer) that they having a conſultive voyce, might put to his conſideration what was for the good of the Church; wherein they ſhould bee heard, and that they ſhould not beleeve they had a deciſive voyce, becauſe that belonged onely to him. Hee propoſed ſeven perſons, in which number onely one was his kinſeman, and another of the *Theatine Congregation*: the others were men of much fame, either for learning, or for the negotiations of the Court. Amongſt theſe was *Johannes Groperus*, of Collen, of whom often mention hath beene made; who knowing hee would not live long, thinking to honour his memory much more by refuſing a dignity, deſired even by great Princes, then by keeping

it

it a few dayes, which would give matter of diſcourſe to thoſe that were emulous of him, he ſent the Pope many thankes, together with his excuſe, and refuſing the ornaments, would neither have the name, nor the title. The Cardinals were created the next Sunday before the league was concluded with *France*, which was the 15 of that moneth. 1555 PAUL 4. CHARL. 5. MARRI HENRIE 2.

At this time Cardinall *Poole*, who for many reſpects of ſucceſſion, and to ſhew he was not ſo much obliged to the Papacy, would not receive Eccleſiaſticall *Orders*, theſe cauſes being ceaſed, went out of the number of the Deacon Cardinals, and was ordained Prieſt: and, foure moneths after, the Arch-biſhop of *Canterbury* being burnt, having beene firſt degraded with many ceremonies, he was put into his place. Card. *Poole* is ordained Prieſt and made Archbiſhop of *Canterbury*.

The people of *Auſtria*, in regard of the *Receſſe* made in the Diet, and of *Ferdinands* declaration in favour of the Cities, and nobles ſubject to Eccleſiaſticall Princes, entred into hope that themſelves alſo might retaine liberty of religion. Therefore having called a Diet of his Subjects, to have a contribution againſt the Turkes who made warre againſt him, they demanded permiſſion and freedome to live in purity of religion, and to enjoy the benefit which was granted unto the *Confeſſioniſts*; telling the King that the ſcourges of the Turks, are Gods viſitations, to invite them to amendment of life; that Armes are in vaine taken againſt the enemy, if the wrath of God be not firſt appeaſed, who will be honored according to his own preſcript; and not according to the fanſies of men. They beſeeched him that they might not be in worſe eſtate than other Germans, and that Miniſters of the Church might teach and diſtribute the Sacraments, according to the Evangelicall and Apoſtolicall doctrine; and that the Schoole-maſters ſhould not be baniſhed untill their cauſe were heard, according to juſtice; offering, upon theſe conditions, to adventure their lives and goods, to give him contentment. The people of *Auſtria* deſire liberty of Religion.

Ferdinand anſwered, that he could not grant their demand, not for want of will to gratifie them, but becauſe hee was bound to obey the Church, and that himſelfe and *Caſar* had ever deteſted the diſcords in Religion; for remedy whereof they had inſtituted many *Colloquies*, and finally procured the Councell of *Trent*; which if it had not a happy ſucceſſe, it was not to bee imputed unto them, in regard it is knowne with what counſels and artifices it hath beene hindered by others; that afterwards an Edict was made in favour of the *Auguſtan Confeſſion*, in which themſelves were partakers, becauſe it was ſaid therein, that every Prince, not Eccleſiaſticall, might chooſe which of the two religions he would, and the people follow the Religion of the Prince, with which if any be not content, he hath liberty to ſell his goods, and to goe whither he will; and therefore their duty was to continue in the old Catholike Religion, which himſelfe profeſſeth: but to yeeld to their deſires as much as he could, he was content to ſuſpend that part of the Edict which concerneth the Communion of the *Cup*, yet with condition that they ſhould change nothing in the rites and ceremonies of the Church, untill the Decree of the future Diet. And they, deſiring nothing elſe, were content to contribute readily againſt the enemy. To whom *Ferdinand* anſwereth thus.

The Bavarians alſo deſired of their Duke, liberty of religion, demanding

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a free preaching of the Goſpel, marriage of Prieſts, the Communion *Sub utraque*, and to eat fleſh every day, proteſting that, otherwiſe, they would not pay the heavy Subſidies, and contributions againſt the Turkes. The Duke, ſeeing that *Ferdinand* (his wives father) had graunted his people the Communion of the *Cup*, to obtaine contributions of them, did likewiſe grant them that Communion, and leave to eate fleſh, if there were neceſſity, on faſting dayes, untill the cauſes of Religion were compoſed by publique authority, the Edicts made by him in matter of Religion ſtill remaining in force; proteſting, in many and copious termes, that he would not depart from the Church, and religion of his anceſtors, nor changing ought in the ceremonies, without conſent of the Pope, and the Emperour, promiſing to procure that his Metropolitan and Biſhops ſhould approove this grant, and not moleſt any for theſe things. The whole Palatinate did imbrace the *Auguſtan Confeſſion*, becauſe the *Elector* being dead, his Nephew ſucceeded, who had declared himſelfe to be of that *Confeſſion* many yeeres before; for which he had ſuffered many perſecutions. And, now being made Prince, he preſently forbade the Maſſes, and Roman ceremonies throughout all his Principality.

The Bavarians alſo deſire liberty of religion. Which their Duke doth grant unto them in ſome few points.

The whole Palatinate doth imbrace the Auguſtan Confeſſion.

But the Pope having layd the foundations before rehearſed, applying himſelfe to ſpirituall matters, thought it neceſſary to gaine credit with the world; which could not be done, if it did not appeare by deedes, not by words onely, that the Court of *Rome* was reformed. Therefore, being wholly bent to this, in the end of January 1556, he erected a Congregation, in which were foure and twenty, Cardinals, and five and forty Prelates and other perſons, the moſt learned of the Court, to the number of 150, and divided them into three ranks, in each of which were eight Cardinals, fifteene Prelates; and others to the number of fifty. To theſe he committed the diſcuſſion of all the doubts in matter of Simony: which hee printed, and ſent copies of them to all Princes, and ſaid he had publiſhed them, that they might come to the knowledge of the *Univerſities*, of generall *Studies*, and of every learned man, that all might have occaſion to make knowne their opinions, which he would not openly deſire, becauſe it was not honorable for that Sea, which is miſtris of all, to goe about and beg them. He ſaid, that, for himſelfe he had no need of the inſtruction of any, becauſe he knew that CHRIST did command; but that he had erected the Congregation that, in a matter wherein all are intereſted, it might not bee ſaid that he had proceeded of his owne head. He added that, having purged himſelfe and his Court, it could not bee ſaid to him, *Phyſician cure thy ſelfe*, and that he would make Princes know, that there is great Simony in their Courts, which hee would take away, being ſuperiour as well to Princes, as Prelates.

1556

The Pope erecteth a congregation to diſcuſſe all doubts concerning Simony.

In the firſt Congregation of the firſt ranke, held the 26 of March, before Cardinall *Bellai*, Deane of the Colledge, twelve perſons did ſpeake, and there were three opinions. One of the Biſhop of *Feltre*, who defended that for the uſe of the Spiritual power it is not inconvenient to take money, when it is not for a price, but for other reſpects: another of the Biſhop of *Seſſa*, that this was by no meanes lawfull, and upon no condition, and that it was abſolutely

In the firſt meeting of which, three opinions are broached.

abſolutely deteſtable Simony, as well to give as to receive, nor could be excuſed with any pretence: the third of the Biſhop of *Sinigaglia*, in the middle betweene theſe two, that it might be lawfull, but in ſome certaine time only, and with certaine conditions. The voyces of that ranke being all given, and brought to the Pope after Eaſter holy dayes, he, ſeeing the diverſity of the opinions, did almoſt reſolve to publiſh a *Bul* according to his own ſence, tha, it was not lawfull to take a reward, preſent, or almes, not only demanded, but voluntarily offered, for any ſpirituall grace whatſoever, that hee would grant no more matrimoniall diſpenſations, and was in a minde to redreſſe thoſe that were already granted, as much as he could without ſcandall. But there were ſo many delayes and impediments interpoſed by divers, that he could not come to a reſolution. 1557 PAUL 4. CHARLES 5. MARIE HENRIE 2.

The Pope intendeth to publiſh a Bull according to his owne opinion. The Bull is hindered.

Some tolde him that it was neceſſary to handle ſuch a thing in a generall Councell, which he heard with great indignation, and ſaid he had no need of a Councell, himſelfe being above all. And Cardinall *Bellai* ſaying, that a Councell was neceſſary, not to adde authority to the Pope, but to finde a meanes for execution, which cannot be uniforme in all places, hee concluded, that, if a Councell were neceſſary, it ſhould be held in *Rome*, and that it was not needfull to go elſewhere; that he never conſented that the Councell ſhould be held in *Trent*; as was knowne to them all, becauſe it was in the middeſt of the Lutheranes, that the Councell is to conſiſt of Biſhops onely; that other perſons might bee admitted for counſell, yet onely Catholikes, otherwiſe the Turke alſo ought to be admitted; that it was a great vanity to ſend into the mountaines threeſcore Biſhops, of the leaſt able, and fourty Doctours of the moſt ſufficient, and was twice done already, and to beleeve that, by thoſe, the world could be better regulated, than by the *Vicar* of CHRIST, with the Colledge of all the Cardinals, who are the pillars of all Chriſtendome, elected for the moſt excellent of all Chriſtian Nations, and by the counſell of the Prelates and Doctors which are in *Rome*, who are the moſt learned perſons in the world, and more in number than, by any diligence, can be brought to *Trent*.

His opinion concerning the Councell of Trent.

But when newes came to *Rome* of the grant of the *Cup*, made by the Duke of *Bavaria* to his ſubjects, he entred into a great rage againſt him: and he put this amongſt other things, for which he deſigned to make proviſion at once, being full of hope that every thing would be eaſie unto him, if the Court were reformed, and was not troubled though he ſaw the number of abuſes to increaſe. For a few dayes after the Ambaſſadour of *Polonia*, comming expreſly to congratulate his Holineſſe for his aſſumption to the Popedome, made five demands in the name of the King, and the Kingdome. To celebrate the Maſſe in the Polonian tongue. To uſe the Communion *Sub utraque ſpecie*. The marriage of Prieſts. That the payment of *Annates* might be taken away. And that they might call a Nationall Councell to reforme the proper abuſes of the Kingdome, and to reconcile the variety of opinions. He heard theſe demands with unſpeakeable impatience, and ſet himſelfe to deteſt them moſt bitterly, ſpeaking againſt them, one after another, with infinite vehemency. And, for concluſion he ſaid that a generall Councell in *Rome* would cauſe the hereſies and bad opinions of many

He is much diſtaſted with the grant made by the Duke of Bavaria.

As alſo with the five demands made by the Polonian Ambaſſadours.

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many to be knowne, alluding to what was done in *Germany*, *Austria*, and *Bavaria*. And being for these reasons almost resolute in himselfe, (or at the least, willing to seeme so) that it was necessary to call a Councell, he told all the Ambassadours that they should signifie to their Princes his purpose to make a Lateran Councell, like unto that which is so famous. And he sent *Nuncii* to the Emperor and the French King, to exhort them to peace, though in *France* he had a more secret negotiation. He gave commission also to treat with them of the Councell; and said in the Consistory, in a long discourse, as he was very copious) that it was necessary to celebrate it quickly, seeing that besides *Bohemia*, *Prussia*, and *Germany*, which were much infected (for those were his words) *Polonia* also was in danger. That in *France* and *Spaine* they were well affected in Religion, but the Clergie was badly used. That which he principally reprehended in *France*, was the exaction of the Tenths, which the King made the Clergie ordinarily pay. But hee was more incited against *Spaine*. For *Paul* the third, and *Julius*, having granted the Emperour *Charles* the halfe and quarter fruits, for a Subsidie of the warre of *Germany*, and he having revoked the grant, because he was not satisfied with the *Recesse* of *Ausburg*, yet they persevered in *Spaine*, and forced the clergie to pay, by sequestrations and imprisonments.

Which maketh him speake of holding a *Lateran* Councell.

He is angry with the French King.

And with the Emperor much more.

He did not forbeare to say, that the Emperour was an heretike; that in the beginning he favoured the innovators of *Germany*, to depresse that holy Sea, and to make himselfe Lord of *Rome*, and of all *Italy*; that he held *Paul* the third in perpetuall trouble, and that he should not doe the like to him. Hee added, that although he might remedy all these inconveniences by his owne authority, yet, not to lay so great a burden upon himselfe alone, he would not doe it without a Councell; that hee had called it in *Rome*, and named it the *Lateran*; that hee had given Commission to signifie it to the Emperour and French King in courtesie, but not to have their consent or counsell, because his will was they should obey; that he was assured it would please neither of them, because it is not for their purpose, living as they doe, and that they will say many things against it, to disturbe it. But he will call it whether they will or no, and make knowne what that Sea can doe, when it hath a Pope of courage. The 26 of May, the anniversary of his Coronation, all the Cardinals and Ambassadours dining with him, according to custome, he began, after dinner, to discourse of the Councell, and that his resolution was to celebrate it by all meanes in *Rome*, and that in courtesie, he gave notice thereof to the Princes, and that the high wayes may be made secure for the Prelates. But if no Prelates would come thither, yet he would hold it with those only who are in Court, because hee well knew what authority he had.

But most of all for the Truce concluded betweene those two Princes.

While the Pope was busie about the reformation, newes came to *Rome*, that a truce was concluded the fifth of February betweene the Emperour and French King, by the mediation of Cardinall *Poole*, who did interpose in the name of the Queene of *England*: which made the Pope amazed, and the Cardinall *Caraffa* much more, having beene treated, and concluded without them. The Pope was displeased, principally for the losse of reputation, and for the danger which it brought, if those two Princes were

joyned

joyned, at whose discretion he must needes stand. To the Cardinall, impatient of rest, it seemed that five yeeres, in the decrepit age of his Uncle, did quite take from him all occasions to chase the Spaniard out of the Kingdome of *Naples*, whom he so much hated. Yet the Pope, not loosing courage, made shew of joy for the truce, but said he was not fully satisfied with it, because a peace was necessary, in regard of the Councell, which he purposed to celebrate, which he was resolved to treat, and, for that end, to send Legats to those Princes, being assured to conclude it, because he would imploy his authority. For he would not be hindered in the government of the Church, committed to him by CHRIST. To the Emperor he sent *Scipio Rebiba*, Cardinall of *Pisa*, and to the French King, Cardinall *Caraffa*, his nephew. This went with all speed, and to the other order was given to goe slowly. *Rebiba* had instruction to exhort the Emperour to amend *Germany*, which was not done untill then, because none had proceeded aright in that enterprise. He knew the defects of his predecessors, who, to stop the reformation of the Court, did hinder the good progresse of the Councell. But contrarily he was resolved to promote the reformation, and to celebrate a Councell in his owne presence, and to begin with this point; assuring himselfe that when they should see the abuses taken away, for which they have separated themselves from the Church, and remaine contumacious still, they will desire, and runne to receive the decrees and constitutions which the Councell will make; where shall be reformed, not verbally, but really, the Head, members, Clergie, Laity, Princes, and people. To doe so good a worke, a truce of five yeeres is not sufficient, because there are no lesse suspicions in truces than in warre; and one must ever be ready to provide against the time when they end; that a perpetuall peace is necessary, to remoove all malice and suspicions, that all may bend themselves joyntly, without worldly respects, to that which concerneth the union, and reformation of the Church. He gave the like instruction to *Caraffa*, and was content it should be published, by giving out some copies of it.

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Notwithstanding he dissembleth his passion and sendeth Legats to them both, to treat a peace, but intendeth nothing but war.

The Court did generally thinke that the Pope spake so often and so earnestly of the Councell, that no man else might propose it unto him, and did threaten the Princes, and all the world with it, to make them abhorre it. But afterwards it was known that he designed to free himselfe by another way, from the trouble given to his predecessors. For when the reformation only of the Pope, of the Court, of the exempted and priviledged persons, dependants of the Popedome, was proposed, every Prince, people and private man, in regard nothing was to be handled that concerned them, was forward to solicite the Councell; but he proposing the reformation of the Clergie, Laity, and especially of the Princes, with a most severe *Inquisition*, which he designed to institute, he made them all equall, so that himselfe was not in question only, but other likewise. And this was a secret, by which he meant to hold all men in feare, and himselfe in reputation of integrity, and worth. And, concerning the Councell, he meant to governe himselfe according to the conjunctures, yet ever holding this point constantly, to celebrate it in *Rome*.

But, to returne to the Legates, he gave his Nephew a large instruction,

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to try the Kings minde, and, if he ſaw him reſolute to obſerve the truce, to thunder into his ears the ſame leſſon of the Councell: and to *Rebiba* he gave order to governe himſelfe as he ſhould receive advice from his Nephew. *Caraffa* caried to the King, the Sword and Hat, which the Pope had bleſſed on Chriſtmas day at night, according to the cuſtome. Of the peace hee made no mention, but preſented to the King, that howſoever the league was not violated by the truce of five yeeres, yet it was made of no force, to the great danger of his Uncle and of his family, and that they had already ſome taſte thereof, by that which the Spaniards had done. He recommended to him, in moſt effectuall termes Religion, and the Papacy, to which his predeceſſours gave ſingular protection, and the Pope himſelfe and his family, much devoted to his Majeſty. The King was not averſe, but remayned doubtfull, conſidering the Popes age, who might die when he ſhould have moſt neede of him. *Caraffa* perceived this, and found a remedy, promiſing that the Pope ſhould create ſo many Cardinals, partiall for *France*, and enemies to *Spaine*, that he ſhould ever have a Pope on his ſide. The Cardinals perſwaſions, and the promiſe of the promotion, and the abſolution from the oath of the truce, which he gave in the Popes name, together with the negotiation of the Cardinall of *Loraine* and his brother, made the King reſolve to moove warre, though the Princes of the *Blood*, and all the *Grandies* of the Court abhorred the infamy of breaking the truce, and receiving abſolution from the oath. The concluſion being made, *Caraffa* recalled the Legate ſent to the Emperour, who was arrived at *Maſtric*, and cauſed him to come into *France*, though he was but two daies journy diſtant from *Ceſar*: which made the Emperor, and the King his ſonne beleeve, that in *France*, ſomething was concluded againſt them.

The French King breaketh the truce at the Popes inſtance.

The Popes diſtaſts againſt the Emperor, and his ſonne, did dayly increaſe. He made a moſt ſevere proceſſe againſt *Aſcanius Colonna*, and *Marcus Antonius* his ſonne, for many offences, which he pretended to be done againſt the Apoſtolique Sea, ſo long ſince, as when *Clement* was beſieged, and afterwards againſt *Paul* the 3, and *Julius*, and by *Marcus Antonius* againſt himſelfe, and the State of the Church: and, relating in Conſiſtory all the injuries done of old, by the Colonneſi, againſt the Apoſtolique Sea, did excommunicate *Aſcanius* and *Marcus Antonius*, deprive them of all dignity and fee, with cenſures againſt thoſe that gave them aſſiſtance, or favour, and did confiſcate all their poſſeſſions within the State of the Church, and gave them to the Count *Montorius*, his nephew, with the title of Duke of *Pagliano*.

The Pope proceedeth ſeverely againſt the Colonneſi.

Marcus Antonius, retiring into the Kingdome, was received, and ſometimes made excurſions upon his owne lands, with ſome few Souldiers, which much provoked the Pope; who thinking his nods were commandements unto all, able to terrifie every one, he could not indure to be ſo little eſteemed at *Naples*, his Countrey, where he would have beene thought to bee omnipotent. He thought in the beginning, by talking laviſhly of the Emperor, and of the King, to make them deſiſt from favouring the Colonneſi, and therefore ſpake very often diſgracefully of them, in the preſence of all ſorts of perſons, but moſt willingly when any Spaniſh Cardinall was preſent, and, at laſt, commanded it ſhould be written unto them.

Who retire into the kingdom of *Naples*, and make excurſions upon their lands.

None

None of the proofes taking effect, he proceeded further, and the three and twentieth day of July made the *Fiscal*, and *Silvester Aldrobandinus*, the Consistoriall Advocate, appeare in the Consistory, who declared that his Holinesse having excommunicated, and deprived *Marcus Antonius Colonna*, and prohibited under the same censures, all sorts of persons to assist or favour him, and it being notorious that the Emperour, and King *Philip*, his sonne, had furnished him with horse, foot, and money, they were fallen into the punishments of the same sentence, and hast lost their Territories, which they held in *Fee*. Therefore they desired that his Holinesse would proceed to a declaratory sentence, and give order for execution. The Pope answered that he would advise of it, by the counsell of the Cardinals, and giving them leave to depart, he proposed in Consistory what was fit to be done, in a case of so great importance. The French Cardinals spake with much honor of the Emperour, and King *Philip*, but so that the Pope was more provoked. The Imperialists used words of an ambiguous sence, fit to gaine time. The Theatini, the Popes owne Cardinals, spake magnificently of the Papall authority, and of the worth and wisedome of his Holinesse, who only knew how to find a remedy for that malady, praising all that he had done, and referring themselves unto him for all the rest. The Consistory being dismissed without a resolution, the Pope knew that either hee must yeeld, or come to a warre; from which being not averse, in regard of his naturall disposition, full of courage and hopes, advice came fitly to him from his Nephew, of what was concluded in *France*. So that the discourses of reformation and Councels were turned into parleys, of money, souldiers, and intelligences; of which things, as not pertaining to my purpose, I will only say as much as may shew what the Popes mind was, and how much he was addicted to a true, or, at the least a colourable reformation of the Church. The Pope armed the Citizens, and inhabitants of *Rome*, for the most part, artisans, and strangers, to the number of 5000, distributing them under the Heads of the *Rioni*, for so they were called: he caused many of his Cities to be fortified, and put garisons in them; and the French King sent him, at his instance, 3000 Gascons, by Sea, that he might subsist while the royall army was prepared.

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The Pope maketh shew that he wil proceed against the Emperour, and his sonne.

Provideth for warre.

Wards or precincts.

In these negotiations, and preparations for warre, the Pope imprisoned many Cardinals, Barons, and others, upon suspicion: as also *Carsillassa di Vega*, Ambassadour of *Philip* King of *England*, and *Johannes Antonius Taxis*, the Emperours Post-master. And the Duke of *Alva*, who sent to protest against him, for maintaining in *Rome* the fugitives of the kingdome of *Naples*, for laying hands on, and keeping in prison publike persons, without reason, for having opened the Kings letters (all which things he had done) adding that the King, for preservation of his honor, and of the right of his people, could not choose, in case his Holinesse did persevere in such offensive actions, but seeke revenge for the injury, he sent backe an answere, that he was a free Prince, and superiour to all others, not bound to give any account, but to demand it of any whosoever; that he might entertaine any persons, and open any letters, which hee thought to be written against the Church: that if *Carsillassa* had done the office of an Ambassadour, nothing should

And imprisoneth many Cardinals and Barons upon suspicion, and King *Philip* his Ambassadour.

The Duke of *Alva* protesteth of the wrong done to his Master by the Pope, and receiveth a proud answere.

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ſhould have been done againſt him, but having made treaties, mooved ſeditions, plotted againſt the Prince, to whom he was ſent, he had offended as a private man, and as ſuch ſhould be puniſhed; that no danger ſhould make him be wanting to the dignity of the Church, and defence of that Sea, referring all to GOD, by whom he was made ſhepheard of the flocke of CHRIST. And the Pope ſtill continuing to make proviſion, the Duke of *Alva* being reſolved that it was better to aſſault than be aſſaulted, ſent another proteſtation againſt him, that, the King having indured ſo many injuries, knowing that the intention of his Holineſſe was to diſpoſſeſſe him of the Kingdome of *Naples*, and being aſſured, that, to this end, he had made a league with his enemies, could not continue in thoſe termes: and therefore in regard his Holineſſe did deſire warre, he did denounce it againſt him, and would begin it quickly, proteſting that the calamities thereof could not be imputed to him, and laying the blame upon the Pope. But if he deſired peace, he did offer it likewiſe unto him, with all readineſſe. The Pope making a ſhew to deſire peace, but anſwering only in generall termes, to gaine time, the Duke began to make warre the fourth of September, and in the yeere 1556 poſſeſſed himſelfe of almoſt all *Campania*, holding it in the name of the next Pope, and came ſo neere to *Rome*, that he put all the City in feare, and made them ſtrengthen and fortifie it. And the Pope, to teach the Governours of ſtrong places what they ought to do in ſuch caſes, compelled all the religious perſons, of what ſtate or quality ſoever, to cary earth with a doſſer on their ſhoulders, to raiſe the bulwarkes. Amongſt other places which had need of Rampards, one was neere the gate of the people, at the end of the way called *Flaminia*, where there is a Church of our Lady, of much devotion; which the Pope purpoſing to pull down, the Duke ſent to pray him to let it ſtand, giving his word and oath that he would make no uſe of the opportunity of that place. But the greatneſſe of the City, and other reſpects and dangers, counſelled him, not aſſayling *Rome*, to undertake ſmaller enterpriſes.

For which cauſe he moveth warre againſt him.

The Pope armeth the Regulars, and purpoſeth to pull downe a Church of great devotion.

The Emperour quitteth the world.

It gave much matter of diſcourſe, that, this yeere, *Charles* the Emperour parted from *Flanders*, and paſſed into *Spaine*, to betake himſelfe to a private life in a ſolitary place; ſo that they made a compariſon betweene a Prince, trained up, from his infancy, in the negotiations and affaires of the world, who at the age of little more than fifty yeeres, had reſolved to quit the world, and only to ſerve God, changed from a mighty Prince, to a meane religious perſon, and one, who had formerly abandoned the Epiſcopal charge, to retire into a Monaſtery, and now, being at the age of 80 yeeres, and made Pope, did wholly addict himſelfe to pomp and pride, and endeavoured to ſet all *Europe* on fire with warre.

1557. The Duke of *Guiſe* paſſeth into *Italy* with an army. The Pope createth ten Cardinals.

In the beginning of the yeere 1557, the Duke of *Guiſe* paſſed into *Italy*, with his army, in favour of the Pope, who, to obſerve the promiſe of his Nephew made to the French King, made a promotion of 10 Cardinals; which not being according to the meaning, and the end agreed on, neither for the number, nor quality of the perſons, his excuſe was, that he was ſo neerly conjoyned with his Majeſty, that his dependants would be as ſerviceable to the King, as the Frenchmen themſelves, and that he might aſſure him-

himſelfe that they were all for him; and that he could not then make a greater promotion, ſeeing the number was ſo great already, ariving to 70, which would quickly bee diminiſhed, by remooving ſome rebels, and putting honeſt men in their roomes; which hee meant of thoſe who were already in the Caſtle, and others againſt whom he had a deſigne, as well for matter of State, as of religion. For hee was not ſo intent to the warre, as that hee did abandoned the buſines of the *Inquiſition*, which he ſaid was the principall ſecret and myſtery of the Papacy. He had ſome information againſt Cardinall *Morone*, that he held intelligence in *Germany*, and did impriſon him in the Caſtle, deputing foure Cardinals to examine him ſeverely; and *Egidius Foſcararus*, Biſhop of *Modena*, as confederate with him. 1557 PAVL. 4. CHARLES 5. MARIE. HENRIE 2.

The Inquiſition is the principall myſtery of the Papacy. Card. *Morone*, and the B. of *Modena* are impriſoned And Card. *Poole* deprived of his Legation.

He deprived alſo Cardinall *Poole* of his Legation of *England*, and cited him to appeare in the *Inquiſition* at *Rome*, having already impriſoned his inward friend, as one of his complices, *Thomas S. Felice* Biſhop of *Cava*. And that he might not pretend to ſtay in *England*, under colour of his Legation, and the affaires of thoſe Churches, hee created Cardinall at Whitſuntide *William Peto*, Biſhop of *Salisbury*, and made him Legat in the place of *Poole*. And although the Queene and King, teſtifying what ſervice he had done to the Catholique Faith, made earneſt interceſſion for him, yet the Pope would never remit one jote of his rigour. Cardinall *Poole* obeyed, laying aſide the adminiſtration and ornaments of a Legat, ſending *Ormaneto* to *Rome*, to give an account of his Legation; but himſelfe parted not out of *England*, alleadging the Queenes commandement, becauſe neither ſhe, nor the King, thinking the Pope was paſſionate, would conſent that he ſhould goe. In *England* many were ſcandalized for it, and aliened from the Pope, and many in *Rome* thought it a calumny, invented to revenge himſelfe for the truce betweene the two Kings, treated by him being Cardinall and Legate, without imparting it to him. And the oppoſition which hee made againſt him in the Conclave, to hinder him from being Pope, was thought to have no better ground. The new Legat, a man of great integrity, had the ſame conceits; who, though he tooke upon him the name of Legat, not to anger the Pope, yet in nine moneths that he lived, after he had the croſſe of the Legation, he did never exerciſe the Charge, but bare the ſame reſpect towards *Poole*, as before.

Wherewith many were offended.

The Duke of *Guiſe* being come into *Italy*, made warre in *Piemont*, with purpoſe to continue it in *Lumbardy*, and ſo to divert the armes taken up againſt the Pope. But the Popes ardent deſire to aſſaile the Kingdome of *Naples*, did not permit him. The Frenchmen knew the difficulties, and the Duke of *Guiſe*, with ſome principall Commanders, went to *Rome* by poſt, to make the Pope underſtand, what the reaſons of warre did perſwade. In whoſe preſence all being conſulted on, and the Popes reſolution not giving place to any other deliberation, it was neceſſary to yeeld unto him. Yet they did nothing, but aſſault *Civitella*, a place ſituated at the entry into the Province of *Abruzzo*, where the army had the repulſe; and *Guiſe* complained much that the *Caraffi* had not made the proviſions which they had promiſed, and were neceſſary. In ſumme, the Popes armes, as well his owne, as auxiliary, were not much favoured by God. But in the midſt of Auguſt the army

The Duke of *Guiſe* receiveth a repulſe, by default of the *Caraffi*.

1556 army of the Duke of *Alva* approaching *Rome*, not afraid of the French, which was entertained in *Ambruzzo*, and the Pope underſtanding the ſurpriſe and ſacke of *Signea*, the ſlaughter of many, and the danger in which *Pagliano* was, he related all in Conſiſtory, with many teares; adding, that he did undauntedly expect martyrdome, the Cardinals marvailing that he ſhould paint out the cauſe to them, who underſtood the truth, as if it had beene of CHRIST, whereas it was profane, and proceeded from ambition, and ſay it was the principall ſinew, and myſtery of the Papacy.

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The Pope is terrified by the approaching of the Duke of *Alva*.

The battell of S. *Quintin*.

When the Popes affaires were in the greateſt ſtraits, the French Kings Army had ſuch a great overthrow neere to S. *Quintin*, that he was forced to recall the Duke of *Guiſe*, and his forces, for the ſafety of the Kingdome; letting the Pope know his inevitable neceſſity, giving him leave to take what counſell ſeemed beſt for him, and ſending him backe the hoſtages. The Pope refuſed to let *Guiſe* returne, whereupon there being a great conteſtation betweene them, the Pope not able to keepe him, bid him goe, ſeeing he had done little ſervice to the King, leſſe to the Church, and none at all to his owne honor. In the end of that moneth, the Duke of *Alva* approached *Rome*, which he had taken but for want of courage. His retreat was aſcribed to the baſeneſſe of his minde, who publikely ſaid, that he feared, that if *Rome* had been ſacked, the Army would have been ſcattered, and the Kingdome expoſed to danger, without forces or defence. But ſecretly he ſaid, that being in the ſervice of a King, who bare great reverence to that place, hee refrained to doe it, becauſe he knew not whether the action would have been approoved. Finally, a compoſition was made the fourteenth of September betweene *Alva* and the *Caraffi*, the warre having continued a whole yeere. In the capitulations the Pope would not have *Colonna*, nor any of his ſubjects comprehended, nor any word inſerted, to ſhew, that he had offended in impriſoning the Emperours Miniſters, but maintained moſt conſtantly, that the Duke of *Alva* ought to come to *Rome* to aske pardon, and receive abſolution; ſaying plainely, that before hee would looſe one jote of this due (for ſo he called it) he would ſee the whole world ruined: that the queſtion was not of his owne, but of Chriſts honour, which he could not prejudice, nor renounce. With this condition, and with the reſtitution of the Cities taſten, the controverſie was ended. It was eſteemed a prodigie, that the very day that the Peace was coucluded, there was ſuch a great inundation of the river Tiber, that all the plaine of *Rome* was drowned, and a great part of the fortifications of the Caſtle S. *Angelo* was overthrowne. The Duke of *Alva* went perſonally to *Rome* to ſubmit himſelfe to the Pope, and receive abſolution in the Kings name, and his owne. So it happened, that the conquerour bare the indignity, and hee that was overcome triumphed more, than if he had been victorious. And it was no ſmall favour that the Pope received him with humanity, though hee forbare not his uſuall haughty ſtate.

Maketh the French King recall the D. of *Guiſe*, and his forces.

Whom the Pope diſmiſſeth with bad termes.

The Duke of *Alva* might have taken *Rome*, and did not.

But made a baſe compoſition with the Pope.

And goeth to *Rome* to demand abſolution.

The warre was no ſooner ended, but new troubles came upon the Pope. For advice was ſent out of *France*, that, the fifth of September at night, in *Paris*, about two hundred perſons were aſſembled in an houſe to celebrate the Communion; which beeing diſcovered by the common people, the houſe

house was assaulted, and some fled, but the women and weaker sort were taken, of whom seven were burned, and the greater part of the others reserved for the same punishment, to be inflicted when the complices were found out. The Suisses made intercession for these; and the King, in regard of his warre with the King of *Spaine* (for so *Philip* was called after the resignation of his father) having need of their assistance, gave order that the proceeding against them should be moderate. The Pope was infinitely angry, and complained in Consistory, and said it was no marvell if the affaires of the King, did not succeed well, because he more esteemed the assistance of heretiques, than the favour of God. The Pope had forgotten that, in the time of his warre, the Cardinals of the *Inquisition* complaining that the Protestant Grisons, brought to his pay, for the defence of *Rome*, used many scornes against the Churches and Images, his Holinesse did reprehend them, saying they were Angels, sent by God, for the custody of the City, and of his person, and that he had a strong hope that God would convert them. So men judge diversly of their owne interests, and of the facts of others. The Pope tooke occasion hence, to call in minde two constitutions, which the King had made the same yeere, which he said were against the liberty of the Clergie, and therefore was resolute they should be abrogated. The one was published the first of March, that marriage made by sonnes before the age of thirty yeeres compleat, and of daughters before twenty five, without consent of the father, or of him in whose power they were, should be voyde. The other the first of May, that all Bishops and Curates should reside, upon paine of losse of the revenues, with an imposition of an extraordinary Subsidie, besides the ordinary Tenths, to pay five thousand foot Souldiers. The Pope thought not of these things when the newes came, because he was then in warre, and had need of the King. But this reason ceasing, he complained that he had medled even with the Sacraments, and unsupportable burdened the Clergie. He sayd it was necessary to provide against these disorders, by a Councell, which were greater than could be objected against the Clergy; that it was fit to begin the Reformation from hence; that the French Prelates durst not speake so long as they were in *France*, but being in a Councell in *Italy*, free from feare of the King, their complaints would soone be heard. Amongst these distastes the Pope received some joy, that the Colloquie, begunne in *Germany*, to compose the differences in religion (which troubled his Holinesse and the Court, as all Colloquies had done) was resolved into nothing. The beginning, progresse, and ende whereof I thinke necessary to recount, for the understanding of the things that follow.

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The Pope is angry with the French K. for using moderation toward the Protestants.

And for making two constitutions in matter of Religion.

But is well pleased with the dissolution of the Colloquie in *Germany*

Ferdinand having, in the Diet of *Ratisbon*, confirmed peace in Religion untill a concord were concluded; to finde a way to make it, it was resolved in the Diet the thirteenth of March, that a Colloquie should bee held in *Wormes*, of twelve Doctors of the old religion, and twelve Protestants, in which the differences should be discussed, to bring the parties into an agreement. *Ferdinand* appointed for President of the Colloquie, the Bishop of *Namburg*, who was so famous. The parties being met in the place the fourteenth of August, the twelve Protestants were not absolutely of one opinion.

A relation of the Coloquie.

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For some of them, desiring a perfect union of the Church, labored to reconcile the doctrine of the *Helvetians*, which was different concerning the Eucharist; and, for this end, the Ministers of *Geneva* had mane a *Confession* in this point, which did not displease *Philip Melanthon*, and fixe more of the *Confession* of *Ausburg*, but did not satisfie the other five. This being perceived by the Bishop, a wise man, and factious, whose end was that the *Colloquy* should be dissolved without fruit, he made the Catholiques propose, that the *Colloquie* being instituted only betweene them, and the *Confessionists*, it was necessary to condemne all the sects of the *Swinglians*, and of others; because the errors being uniformely condemned, the truth would easily appeare. The five aforesaid, did consent it should be so. *Melanthon*, who perceived the cunning, which was to sow division between them, and to make them at variance with the *Suisses*, the *Prussians*, and others, said that it was fit to agree upon the truth first, and then by that rule to condemne errors. The Bishop shewing to the five that they were contemned by the other seven, perswaded them to depart from the *Colloquie*, and wrote the successe to *Ferdinand*, concluding that they could not proceed, in regard of the departure of these, and that those which remained would not first condemne the sects. *Ferdinand* answered, that his desire was they should proceede, and that the *Confessionists* should recall those five that were departed, and the Catholikes be in the meane space content to begin and discusse the controversed Articles. The Bishop seeing that he had lost this point, perswaded the Catholike Collocutors to write to the King, that it was not just to begin the treaty, if all the Protestants were not united, because it would be necessary to treate againe with the absent, that which was concluded with the present, and so to take double paines. They all retired, without exspecting any answer, and each party blamed the other, excusing it selfe upon the reasons aforesaid.

1558
The Pope proceedeth severely against his owne family.

The Pope perceiving that, by the warre past, he was deprived of the credit with which he thought to daunt the whole world, thought to regaine it by an heroicall action, and did, the fixe and twentieth of January, in Consistory deprive Cardinall *Caraffa* of the Legation of *Bolonia*, and of all governement, and confined him to *Civita Lavinia*, and tooke from *John Caraffa*, the Cardinals brother, the command and charge of the Army, exiling him likewise to *Galesi*. He deprived the other Nephew of the governement of *Borgo*, and banished him to *Monte-bello*, commanding that their wives, family, and children should depart from *Rome*, and themselves not depart from the places to which they were banished, upon paine of rebellion. He deprived likewise all those of their offices, to whom he had given them in contemplation of these. He spent more than fixe houres, in complaining, and enveighing against their offences, with such fury, that hee disdained at the Cardinals who spake any good word to pacifie him. To Cardinall S. *Angelo*, who first commending justice, put him in minde of a saying of *Paul* the 3. which he often used, that the Pope should never take hope of favour from any; he answered, that his grand-father *Paul* the 3 should have done better to have proceeded against his father, and punished his villanies. He instituted a new government in *Rome*, and in the State of the Church, giving the charge of all businesses to *Camillus Orsinus*, unto whom he joyned the Car-

Instituteth a new government in *Rome*.

dinals

dinals of *Trani* and *Spoleto*, affecting a fame of juſtice in theſe actions, and 1558
laying the blame of all the grievances, which the people ſuffered, upon the
Nephewes. Being thus disburthened of the governement, he applyed him- PAVL 4. FERDINAND. PHILIP 2. MARIE. HENRIE 2.
ſelfe wholly to the office of the *Inquiſition*, ſaying it was the true *Ramme* to
beate downe hereſie, and defend the Apoſtolike Sea. And, not regarding
what did befit the time, he publiſhed a new Conſtitution, dated the fif- And applyeth himſelfe wholly to the office of the *Inquiſition*.
teenth of February, which he made all the Cardinals ſubſcribe. In this he Making a new Conſtitution.
renewed every cenſure and puniſhment, pronounced by his predeceſſors,
and every Statute of Canons, Councels, and Fathers, in what time ſoever,
publiſhed againſt heretikes; ordaining that thoſe that were diſuſed, ſhould
be brought in uſe againe. Hee declared that all Prelates, and Princes, even
Kings and Emperours, fallen into hereſie, ſhould be, and ſhould be under-
ſtood to be deprived of all their Benefices, States, Kingdomes, and Empires,
without further declaration, and uncapeable to be reſtored to them, even
by the Apoſtolike Sea: and their goods, States, Kingdomes, and Empire,
ſhall be underſtood to be common, and to belong to thoſe Catholikes who
can get them. This did miniſter much talke, and if it had not preſently been Which was diſeſteemed by the world.
diſeſteemed by the world, it would have kindled a fire in all Chriſten-
dome.

Another accident made the world know that he had not moderated the haughtineſſe of his minde. The Emperour *Charles* in the yeere 1556 by his letters written to the Electors and Princes, did abſolutely give to *Ferdinand* all the adminiſtration of the Empire, without reſerving any thing to himſelfe, commanding that he ſhould be obeyed by all. Afterwards he ſent *William*, Prince of *Orange*, with two colleagues, to the Diet in *Germany*, to tranſfer the name, title, Crowne, and dignity upon *Ferdinand*, as if himſelfe had beene dead; which, not ſeeming fit to the Electors, was deferred untill the yeere 1558, in which the fourth of February, the day of the Nativity, Coronation, and other felicities of *Charles*, the Ceremonies of the reſignation being made by his Ambaſſadors, in preſence of the Electors, *Ferdinand* was inſtalled with the uſuall rites. The Pope hearing this, fell into an exceſſive rage. *Ferdinand* is inſtalled in the Empire.
He pretended that as the Popes confirmation doth make the Emperour, ſo
the reſignation cannot be put into the hands of any but himſelfe; in which
caſe it belonged to him to make what Emperour he pleaſed; alleadging that
the Electors have power granted them by the Popes favour, to elect the Em-
perour in place of him that is dead, but not in caſe of reſignation, in which
it remaineth ſtill in the power of the Apoſtolike Sea; as alſo to the diſpoſi- The Pope refuſeth to acknowledge him.
tion thereof are annexed all dignities reſigned unto it. Therefore the reſigna-
tion of *Charles* is void, and the whole authority to chooſe an Emperour is
devolved to him, and was reſolved not to acknowledge the King of the Ro-
manes for Emperour.

Ferdinand, though he knew this, ſent *Martin Guſman*, his Ambaſſadour, to
give him an account of his brothers reſignation, and his owne aſſumption,
to teſtifie unto him the reverence he bare him, to promiſe him obedience,
and to ſignifie unto him that he would ſend a ſolemne Ambaſſage, to treate
of his Coronation. The Pope refuſed to heare him, and referred the diſcuſ- And to heare him Ambaſſadour.
ſion of the matter to the Cardinals: who related (for the Popes will was they

1558 PAVL 4. FERDINAND. PHILIP 2. MARIE. HENRIE 2.

should doe so) that the Ambassador could not be admitted, before it did appeare whether the resignation of *Charles* were lawfull, and the succession of *Ferdinand* just. For he being elected King of the Romans, and the election confirmed by *Clement*, to succeed after the death of the Emperour, it was necessary the Empire should be voyd by death. Besides there was a *nullity* in all the actes of *Francfort*, as made by heretikes, who have lost all authority and power. Wherefore it was necessary that *Ferdinand* should send a Proctor, and renounce whatsoever was done in that Diet, and beseech the Pope, that hee would graciously be pleased to make good the resignation of *Charles*, and his assumption to the Empire, by vertue of his plenary power, from whom he might expect all paternall grace and favour. The Pope resolved according to this Councell, and so declared himselfe to *Gusman*, giving him three moneths to put it in execution, beyond which time hee would heare no more speech of it, but himselfe would create a new Emperour. Neither was it possible to remove him, though King *Philip*, to favour his uncle, sent *Francis Vargas* expressly, and after him *John Vigaroa*, to intreat him. *Ferdinand*, understanding this, gave order to *Gusman*, that, if within three dayes after the receipt thereof, he were not admitted by the Pope, he should depart, and protest unto him, that *Ferdinand*, together with the Electors, would resolve of that which should be for the honour of the Empire: *Gusman* desired audience againe, which the Pope granted in private, not as unto an Ambassadour of the Emperour; and, hearing him relate what he had in his instructions, and that which was wrote unto him from the Emperour, he answered, that the things considered by the Cardinals were very important, and that he could not resolve on them so soone: that he would send a *Nuncio* to the Imperiall Majesty of *Charles* the fifth, and, in the meane while, if he had commission from his Master to depart he might doe it; and protest what he thought fit. Therefore the Ambassador, having made his protestation, departed. And although *Charles* died the same yeere the 21 of September, yet it was impossible to remoove the Pope from this resolution.

Who, having made a Protestation departeth from Rome.

The number of those who called themselves reformed being now increased in *France*, their courage did increase also; and there being a custome amongst the people of *Paris*, in the Summers evenings, to goe out of the Suburbes of S. *German* in great multitudes, to take the *fresco*, and to solace themselves with divers kindes of sportes, those of the new Religion, in stead of doing so, began to sing the Psalmes of *David*, in French verses. The multitude first laughed at the novity, then, leaving their sports, joyned themselves unto the singers. And the number of those who came to that place began to increase more than usually. The Popes *Nuncio* told the King of this novity, as of a thing pernicious and dangerous, because the ministeries of religion, usually celebrated in the Church, in the Latin tongue, by religious men onely, were put into the mouth of the common people, in the vulgar language, which was an invention of the Lutherans; telling him that, if he did not resist the beginnings, in a short time all *Paris* would be Lutheran. The King gave order that the principall authors should bee proceeded against; wherein they went not very far, having found *Antony*, King of *Navar*, and his wife, in that number: But for hereafter it was forbid upon paine of death.

The

The Religion in *England* was also much changed this yeere. The Queen died the seventeenth day of November, and Cardinall *Poole* the same day, which stirred up many, who were not satisfied with the former governement to restore the reformation of *Edward*, and to separate themselves wholly from the Spaniards: which they did the rather, because King *Philip*, to hold a foote in *England*, had treated to marry *Elizabeth*, sister and successor of *Mary*, to *Charles* his sonne: and when there was little hope of the life of *Mary*, hee had also cast foorth divers words, that he would take her for his owne wife. But the new Queene being wise, as she shewed her selfe to be in all her government, did first secure the Kingdome by oath, that she would not marry a stranger, and was crowned by the Bishop of *Carlile*, an adherent to the Church of *Rome*, not making any open declaration what doctrine shee would follow, designing, so soone as she was setled in her governement, to establish it, by the counsell of the Parliament, and of learned and godly men, and to make a constant reformation of the state of Religion. Therefore she exhorted the chiefe of the Nobility, who desired a change, to proceede without tumult, assuring them that she would not enforce any. Shee caused presently an account to be given to the Pope of her assumption, with Letters of credence written to *Edward Cerne*, who was Ambassadour to her sister, and was not departed from *Rome*. But the Pope, proceeding according to his usuall rigour, answered, that that Kingdome was held in *Fee* of the Apostolike *Sea*; that shee could not succeede being illegitimate; that hee could not contradict the declarations of *Clement* the seventh, and *Paul* the third, that it was a great boldnesse to assume the name and governement without him; that, for this, she deserved not to be heard in any thing; yet being desirous to shew a fatherly affection, if shee will renounce her pretensions, and referre her selfe wholly to his free disposition, he may doe whatsoever may be done with the honour of the Apostolike Sea. Many did beleeve that as he spake thus by his own inclination, so he was incited by the French King, who fearing a marriage betweene her and the King of *Spaine* might be made by the Popes dispensation, thought fit to assure himselfe by cutting off the practises in the very beginning. But the new Queene understanding the Popes answer, and wondring at the mans hasty disposition, thought it not profitable, either for her or the Kingdome, to treate any more with him. So that the cause ceasing, she gave the Nobility leave to consult what was fit to be done for the service of GOD, and quiet of the Kingdome. A disputation was held in *Westminster*, in presence of all the States, betweene learned men, chosen on both sides, which began the last of March, and lasted untill the thirtieth of April: and, a Parliament being assembled to this end, all the Edicts of Religion made by *Mary* were abolished, those of her brother *Edward* restored, obedience taken away from the Pope, the title of the Head of the Church of *England* given to the Queene, the revenues of the Monasteries confiscated, and assigned some to the Nobility, and some to the Crowne, the Images taken out of the Churches by the people, and the Romane Religion banished. Another accident happened also. For in the Diet of *Ausburg* it appearing, by the actes of the *Colloquie* the yeere before, dissolved without fruit, that there was no hope,

1558

PAVL 4.
FERDINAND.

PHILIP 2.
ELIZABETH.
HENRIE 2.

Mary Q. of England dieth.
And Elizabeth is crowned.

With whom the Pope doth presently contest.

A disputation is held in Westminster in matter of Religion.

1558 PAVL 4. FERDINAND. PHILIP 2. ELIZABETH. FRANCIS 2.

to doe any good by that meanes, *Ferdinand* told them he would procure the generall Councell to be restored, exhorting all to submit themselves to the Decrees thereof, as being the way to remoove differences. The protestants answered, that they would consent to a Councell, called, not by the Pope, but by the Emperour, to be held in *Germanie*, in which the Pope should not preside, but should submit himselfe to the judgement thereof, and release the Bishops and Divines of their oath; in which also the Protestants should have a deciding voyce, and all should be determined according to the holy Scripture, and whatsoever was concluded in *Trent*, should be reexamined: which, if it cannot be obtained of the Pope, yet the peace of religion should be confirmed, according to the agreement of *Passau*, having knowne, by too manifest experience, that no good can be drawne from any Popish Councell. The Emperour knowing the difficulty to obtaine of the Pope a grant of the things propoſed, and that now he had no meanes to negotiate with him, in regard of the controversie about the resignation of *Charles*, and his succession, he confirmed the accord of *Passau*, and the *Recesses* of the Diets following.

Ferdinand promiseth to procure a generall Councell.

And confirmeth the accord of *Passau*.

The Pope having put off all meanes to treate with the Emperour and *Germany*, knew not what to say to this. Yet he was more displeased with their discourse concerning the Councell, than with the liberty granted by the *Recesse*, being resolute not to call any Councell but in *Rome*, whatsoever should happen. In this respect another accident was as grievous as the former; that is, the peace made at *Cambray*, the third of Aprill, betweene the Kings of *France* and *Spaine*, which was well confirmed by the marriages of the daughter of *Henry* to the King of *Spaine*, and of his sister to the Duke of *Savoy*. In which peace, amongst other recapitulations, it was agreed, that both the Kings should make a faithfull promise to labour joyntly that the Councell should be celebrated, the Church reformed, and the differences of Religion composed. The Pope considering how goodly a shew the title of reformation, and the name of a Councell did make; that *England* was lost, and all *Germany* also, partly by the Protestants, and partly by his difference with *Ferdinand*; that these two united Kings were much offended by him, the Spaniards by deeds and words, the French by words at the least; there remaining none to whom he might have refuge; that the Cardinals were weary of his governement, and his people not well affected, in regard of the incommodities of the warre, and the taxes laid upon them. These cogitations did so afflict the old Pope, that he was unfit to rule. Hee could not holde the Consistories so often as he was wont, and when hee did holde them he spent the most part of the time in speaking of the *Inquisition*, and exhorting the Cardinals to favour it, as being the onely way to extinguish heresies.

Wherewith the Pope is much displeased.

But more with the capitulations of the peace of Cambray.

So that he became unfit to Rule.

But the two Kings did not agree to procure the Councell for any ill will, or interests, which either of them had against the Pope, or Papacy, but to provide against the new doctrines, which did exceedingly increase, being willingly heard and received by all men of conscience: and, which was of more importance, the male-contented, and those who were desirous of innovations, put themselves on that side, and did daily, under pretence of religion, make

The progresse of the reform'd Religion, and the meanes used to suppresse it:

make some enterprises, as well in the *Low-Countreys*, as in *France*, in regard those people did love their liberty, and had commerce with *Germany*, as bordering upon it. In the beginning of the troubles some seedes were sowed, which that they might not take roote, the Emperour *Charles* the fifth, in the *Low-Countreys*, and the French King, in his Kingdome, made many Edicts, and commanded divers executions, whereof we have spoken in their due places. But after that the number of the Protestants did increase in *Germany*, and the Evangeliques did multiply amongst the Suisses, and the separation was made in *England*, by reason of the often warres between the Emperor and French King, either party was forced to call Auxiliaries out of these three Nations, who publikely professing and preaching the Reformed religion in their quarters, by their example, and by other meanes, divers of the people became of their opinion. It is certaine, that this compelled *Charles* the Emperour, to attempt the bringing in of the Spanish *Inquisition*, seeing that other remedies did not prevaile, though he was partly forced to desist, for the causes before related. And *Henry* the French King, gave the Bishops authority to punish heretikes; a thing never used before in that Kingdome. And although in the *Low-Countries*, from the first Edict of *Charles*, untill this time of the peace, there were hanged, beheaded, buried alive, and burned, to the number of fifty thousand, and very many put to death in *France* yet both places were then in worse case than ever. This made the Kings to thinke joyntly of finding a remedy, by the great perswasion of the Cardinall of *Loraine* for the French, and of *Granuel* Bishop of *Arras* for the Spaniards, who being in *Cambray*, from October untill Aprill, with other Deputies of the two Kings, to treat a peace, did confer particularly amongst themselves, how that doctrine might be rooted out; and were afterwards the chiefe instruments of whatsoever did happen in both States. The cause they alleadged to be the zeal of religion, and the service of their Princes: but it was univerlally beleeved, that it was rather ambition, and a designe to enrich themselves by the spoyles of those who were to be condemned.

1558

PAUL 4. FERDINAND.

PHILIP 2. ELIZABETH. HENRIE 2.

In the *Low-Countreys* 50000 were executed for religion in a short time, and very many in *France*. Whereof the Card. of *Loraine* and *Granuel*, Bishop of *Arras* were causes.

The peace being made, the King of *Spaine*, to begin to give some order, not being able to bring in the *Inquisition* openly, thought to doe it obliquely, by the Bishops. But there being but two Bishoprickes in the Low-Countries, *Cambray*, and *Utrect*, and the residue of the Clergie subject to the Bishops of *Germany*, and *France*, and those two Bishopricks also subject to forraigne Arch-bishops, to whom appeals could not be denied, so that he could not worke his will by meanes of them, he thought fit to free all the Clergie from the subjection of Bishops, who were not his subjects, and to institute three Archbishoprickes in those Countries, *Meclin*, *Cambray*, and *Utrect*, and to erect into Bishoprickes, *Anwerp*, *Balduck*, *Gant*, *Bridges*, *Ipre*, *S Omar*, *Namur*, *Harlem*, *Middleburgh*, *Lewarden*, *Groningbe*, *Ruremond*, and *Daventer*; annexing unto them for revenues; some rich Abbies. Hee caused the Pope to approove all this by his *Bull*, dated the ninth of May the same yeere. The pretence for doing of this was, that formerly those Countries, being not much inhabited, did not neede a greater number of Bishops, but now the multitude of people, and dignity of the Cities did require they should bee honored with Ecclesiasticall titles. Yet the Nobility and Comminalty did

The K. of Spaine erecteth Bishopricks in the *Low Countries*, that he might more easily bring in the *Inquisition*.

1558 PAVL 4. FERDINAND. PHILIP 2. ELIZABETH. HENRIE. 2

imagine it was art to bring in the *Inquisition*; in which opinion they were confirmed when they saw the Popes Bull. For, according to the use of *Rome*, to enlarge their power or profit in every bargaine, he alledged, for a cause of that new institution, that that Countrey was compassed, and, as it were, besieged by Schismatiques, who did not obey him, the Head of the Church, so that the true faith was in great danger by the defrauds and insidiations of the heretickes, if new and good Gardians were not placed over them. This occurrence made the Nobility to adhere together, and to thinke how to make resistance before there was means to compell them by force of armes. They resolved therefore not to pay tribute, untill the Spanish Souldiers were remooved out of the Countrey, and began to incline more to the new opinion, and to favour it: which caused the other troubles which shall be spoken of.

Which maketh the Nobility to combine and refuse to pay tribute.

But the French King, desirous to make provision that the Lutheran sect should not more increase in the Kingdome, understanding that some of the Counsellors of the Parliament were infected with it, in a Mercuriall (so they call the judicature, instituted to examine and correct the actions of the Counsellors of Parliament, and Judges of the King) held in *Paris* the 15 of June, where they were to treate of Religion, after the Congregation was assembled, entred in person. He said he had established peace in the whole world, by the marriages of his sister and daughter, that he might provide against the inconveniences bred in his Kingdome about Religion, which ought to be the principall care of Princes. Therefore understanding they were to treat of this subject, he exhorted them to handle Gods cause with sincerity. And having commanded them to prosecute the things begun, *Claude Viole* one of them, spake much against the manners of the Court of *Rome*, and the bad customes, growne to be pernicious errours, which have caused the new sects. Therefore it was necessary to mitigate the severe punishments, untill the differences of religion were remooved, and the Ecclesiasticall discipline amended by authority of a Generall Councell, the onely remedy for these evils as the Councels of *Constance* and *Basill* have judged, commanding that one should be celebrated every ten yeeres. His opinion was followed by *Ludovicus Faber*, and some others. *Anne du Bourg* did adde, that many villanies were committed, condemned by the Lawes, for punishment whereof, the rope and fire were not sufficient, as frequent blasphemies against God, perjuries, adulteries, not only secret, but even cherished with impudent licence; making himselfe to be plainly understood, that he spake not onely by the Grandies of the Court, but of the King himselfe also; adding that, while men lived thus dissolutely, divers torments were prepared against those who were guilty of nothing, but of publishing to the world the vices of the Church of *Rome*, and desiring an amendment in them. In opposition of all this, *Egidius Magister*, the prime President spake against the new sects, concluding that there was no other remedy, but that which was formerly used against the *Albigenses*, of whom *Philippus Augustus* put to death sixe hundred in one day, and against the *Waldenses*, who were choked in the caves, whither they retired to hide themselves. When all the voyces were given, the King said, he had now heard with his own eares, that which

The French K. entreth into the Mercuriall.

before

before was told him, that the contagion of the Kingdome doth hence arise; that there are in the Parliament who do despise the Popes authority, and his; that he well knoweth they are but few, but the cause of many evils. Therefore he exhorted those who are good subjects to continue in doing their duty, and immediatly gave order that *Faber* and *du Bourg* should be imprisoned, and afterward caused foure more to be apprehended in their houses: which did much daunt those who embraced the new Religion. For the Counsellors of Parliament in *France*, being reputed most sacred, and inviolable, who, notwithstanding were put into prison for delivering their opinion in publike Assembly, they concluded that the King would pardon none.

1559
PAUL 4. FERDINAND. PHILIP 2. ELIZABETH. HENRIE 2.
And commandeth some of the Counsellors of Parliament to be imprisoned.

But examples of great feares are alwaies joyned with others of equall boldnesse. For at the same time, as if there had been no danger at all, the Ministers of the Reformed (for so the Protestants are called in *France*) assembled in *Paris* in the Suburbes of Saint *German*, made a Synode, in which *Franciscus Morellus*, the chiefe man amongst them, was President, ordaining divers constitutions, of the manner of holding Councels, of removing the domination in the Church, of the election and office of Ministers, of censures, of marriages, of divorces, of degrees of consanguinity, and affinity, that throughout all *France* they might not onely have an uniforme faith, but discipline also. And their courage did increase, because the fame of the severity used in *France* comming into *Germanie*, the three Electours, and other Protestant Princes sent Ambassadours to the King, praying him to proceede with piety and Christian charity against the professors of their Religion, guilty of nothing but of accusing the corrupted manners, and the discipline perverted by the Church of *Rome*, which had been done more than an hundred yeeres since by other godly Doctors of *France*. For that Kingdome beeing now in quiet, the differences of Religion may easily be composed, by the disputation of able men, desirous of peace, who may examine their confession by the rule of holy Scripture, and of the ancient Fathers, suspending in the meane time the severity of the sentences; which they will receive as a thing most gratefull, and remaine much obliged to him for it. The King gave a courteous answere in generall words, promising to give them satisfaction, and to send one expresly to signifie so much unto them. Yet he remitted nothing of the severity, but, after the Ambassadours were parted, hee deputed foure Judges, of the body of the Parliament, in the causes of the prisoners, with the Bishop of *Paris*, and the *Inquisitor*, *Antonie de Mocares*, commaunding them to proceede with all expedition.

1559
The Reformatists hold a Synod in *Paris*.

And are encouraged by the intercession of the Protestant Princes of *Germany*.

Which did them no good.

The Pope, unto whom all these things were knowne, as he was much discontented with the progresse of the new doctrine in the States of both the Kings, so hee was pleased that those Princes did thinke of it, and mooved them, by his *Nuncii*, and by their Ambassadors residing with him, to doe so still. But he would not have any other meanes than that of the *Inquisition*, which he thought the only remedy, as he said upon all occasions, judging that the Councell would doe as formerly it had done, that is, reduce all into a worse estate. While he was possessed with these cogitations, and weak of body, the King of *France* died the second of July, by a wound in the eye, running

1559 PAVL 4. FERDINAND. ELIZABETH. FRANCIS 2

Henry the ſecond die in the ſecond of *Italy*.

running at *Tilt*; for which he ſeemed very ſorrowfull, and was ſo indeede. For although he ſuſpected, and with reaſon, the intelligence betweene the two Kings, yet he had ſtill hope to ſeparate them. But the one being dead, he ſaw he was at the diſcretion of the other alone, whom he more feared, becauſe he was more offended by him, and was of a more cloſe nature, hard to be ſounded. He feared alſo that in *France* a gate would be ſet wide open to let in ſectes, which might be confirmed before the new King could get ſo much wiſedome and reputation, as was neceſſary to oppoſe ſo great difficulties. He lived ſome few dayes, afflicted with theſe cogitations; but now laying aſide all hopes, which had untill then kept him alive, he died the eighteenth of Auguſt, recommending to the Cardinals nothing but the office of the *Inquiſition*, the only meanes, as he ſaid, to preſerve the Church, exhorting all to employ all their endeavours, to eſtabliſh it in *Italy*, and whereſoever elſe they could.

The Pope dieth the 18 of *Auguſt*, recommending to the Cardinals nothing but the office of the *Inquiſition*.

The Pope being newly dead, or rather ſtill breathing, there did ariſe, by reaſon of the great hatred conceived by the people againſt him, and his whole houſe, ſuch tumults in *Rome*, that the Cardinals were more troubled with theſe, as being neer and urgent, than with thoſe that were common to all Chriſtendome. The City was all in ſedition; the head of the Popes *ſtatua* was beaten off, and drawne through the ſtreetes; the priſons broken open; and more than foure hundred perſons ſet at liberty: and going to *Ripeta*, where the *Inquiſition* was, they did not onely take out the impriſoned, but burnt the place, and all the proceſſes and writings kept there; and they had almoſt burned the *Convent* of *Minerva*, where the Friars, imployed in that office, do dwell. The Colledge of Cardinals had recalled *Caraffa* in the life time of the Pope, and, in the firſt Congregation which they held after his death, they delivered the Cardinall *Morone* out of the Caſtle, who was ready to bee cenſured for an heretique. A great queſtion was made, whether he could have a voice in the election, being oppoſed by thoſe who thought him their adverſary. But at the laſt it was reſolved on his ſide. The Cardinals were forced to conſent, that all the moveable armes and monuments of the houſe of *Caraffa* ſhould be torne in pieces, and the immoveable demoliſhed.

The people ſhew their deteſtation of him.

Card. *Morone* was ſet at liberty, who was ready to be ſentenced for an heretique.

Being aſſembled in the *Conclave* the fift of September, eight dayes after the juſt time, becauſe they were hindered by thoſe inconveniences, they made capitulations, which, according, to cuſtome, were ſworne to by all, that they might give ſome order for the government, which was wholly confuſed by the too great ſeverity of *Paul* 4. Two of them did belong to the matter whereof we treat; one, that the difference with the Emperor, which might hazard the loſſe of all the reſidue of *Germany*, ſhould be compoſed, and he acknowledged for Emperour; the other, that for the neceſſity of *France* and *Flanders*, the Councell, as the onely remedie againſt hereſies, ſhould be reſtored. The papacy was vacant longer than the neceſſity of the time did comport, not ſo much for the diſcords of the Cardinals, as for the intereſts of Princes, who did interpoſe more than they were wont. While they were locked up in the *Conclave*, King *Philip* going from the *Low-Countries* into *Spaine* by Sea, with reſolution never to remoove thence, fell into a ſtorme,

Capitulations ſworne unto by the Cardinals in the *Conclave*.

ſtorme, in which almoſt all the fleet was wracked, his houſhold ſtuffe, of very great value, loſt, and himſelfe hardly eſcaped. He ſaid he was delivered, by the ſingular providence of GOD, to root out Lutheraniſme, which he preſently began to doe. For the 24 of September, ſo ſoone as he was arrived in *Sevil*, to give an example in the beginning of his government, and to leave no hope to any, he cauſed *Johannes Pontius* Count of *Bayleno*, together with a preacher, aud many others of the Colledge of S. *Iſidore*, where the new religion was entred to be burned for Lutherans; as alſo ſome Noble women, to the number of thirteene, and laſt of all the *ſtatue* of *Conſtantius Pontius*, Confeſſor to *Charles* the fifth, who ſerved him in his retyred life, and held him in his armes when he dyed. This man dyed in priſon a few dayes before, where he was put immediatly after the Emperours death, for imputation of hereſie: which execution, though againſt an unſenſible *ſtatue*, increaſed the feare, becauſe every one concluded that no connivency nor mercy could be hoped for from the King, who bare no reſpect to him, whoſe infamy did diſhonour the memory of the Emperour deceaſed. Afterwards he went to *Validolid*, where he cauſed twenty eight of the prime Nobility of the Countrey to be burned in his preſence, and kept Friar *Bartholomew Caranza* in priſon, mentioned often in the firſt reduction of the Councell of *Trent*, who was Arch-biſhop of *Toledo*, chiefe Prelate of *Spaine*, taking from him all the revenues. And it cannot be denied that theſe executions, with others which daily ſucceeded, though not ſo exemplary, kept thoſe Countreys in quiet, while all other places were full of ſedition. For although the new opinions were ſowed in the mindes of many, eſpecially of the Nobility, yet they were concealed within their hearts, in regard of the cloſe nature of the Spaniards, who abhorre dangers, never adventuring upon hard enterpriſes, but ayming to proceed ſecurely.

1559

PIUS 4.
FERDINAND.
ELIZABETH.
HENRIE 2.

King *Philip* is in great perill at ſea, Who at his arivall in *Spain*, uſeth great ſeverity againſt the Lutherans.

The Kings death in *France*, which they reformed did aſcribe to miracle, increaſed their courage, though they durſt not ſhew themſelves openly in *Paris*. For his ſonne *Francis*, the new King, after he was conſecrated at *Rhemes*, the twentieth of September, gave order to proſecute the proceſſe of the Counſellors, vvho vvere in priſon, and deputed the Preſident of S. *Andreas*, and the *Inquiſitor Antonius de Mocares*, to diſcover the Lutherans. The Judges, having gained ſome of the common ſort, formerly profeſſors of that religion, had notice of the place vvhere they did ſecretly aſſemble. Therefore many, both men and vvomen, vvere impriſoned, and many, vvhoſe goods vvere confiſcated, after a citation by three Edicts. And by the example of *Paris*, the ſame vvas done in *Poyton*, *Tholouſe*, and *Aix* of *Provence*, by the inſtigation of *George* Cardinall of *Armignac*, vvho, not to abandon that enterpriſe, vvould not go to *Rome*, to the election of the Pope, uſing all diligence that thoſe vvho vvere diſcovered might be apprehended. The profeſſors of that religion being ſtirred up hereby, and imboldened, becauſe they knevv they vvere many, ſent about many vvritings, againſt the King and Queene, and thoſe of *Loraine* (by whom the Kings was governed) authors of the perſecution, intermixing ſome points of doctrine, vvhich beeing vvillingly read by all, as things compoſed by publique liberty, did imprint the nevv religion in the minds of many.

The young French K. imitateth the ſeverity of his father.

In

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In the end of the processe against the Counsellors, after a long contestation, all were absolved, except *Anne du Burg*, who was burnt the eighteenth of December, not so much by the inclination of the Judges, as by the resolution of the Queene, provoked against him, because the Lutherans did divulge in many writings, and libels spread abroad, that the King had been wounded in the eye by the providence of God, for a punishment for his words, used against *du Bourg*, that he would see him burnt. But the death and constancy of a man so conspicuous, did make many curious to know what religion that was, for which he had so couragiously indured punishment, & made the number increase: which augmenting also every day for other causes, those who were interessed in their overthrow, either for love of the old Religion, or as Ecclesiastiques, and authors of the former persecutions, thought it necessary to discover them, before they were so many as that they could not be suppressed. To this end they caused the pictures of the blessed Virgin, and of Saints, to be placed in every corner throughout all *France*, and especially in *Paris*, burning candles before them, making the porters, and other vulgar persons sing the ustuall prayers of the Church, and appointing men to stand there with little boxes, to aske almes for the buying of candles: and he that did not honour the images in passing by, or did not stand with reverence at those corners, or did not give the almes that were asked, were held suspected, and the least evill that did befall them, was to be abused by the people, with boxes and spurnings: But many of them were imprisoned, and put in suit. This provoked the Reformatists, and caused the great conspiracy of *Geffery Renaut*, of whom we will speake hereafter.

Anne Burges is burned.

Whose constancy giveth an increase to the reformed Religion.

Meanes used in *France* to discover the Reformatists.

In *Rome*, after divers contentions and practises to create Pope, the Cardinals of *Mantua*, *Ferrara*, *Carpi*, and *Putea*, finally the 24 of December at night, *John Angelo* Cardinall of *Medicis* was created, and named himselfe *Pius* 4, who having appeased the tumults of the city, and secured the minds of all by a generall pardon of whatsoever was committed in time of their sedition, applyed himselfe suddenly to the execution of two capitulations, which he had sworne, concerning the most common affaires: and the thirtieth of the same moneth calling together 13 Cardinals, and consulting with them about the rejection of the Ambassage of *Ferdinand*, and the determination of *Paul*, not to acknowledge him for Emperour, the common opinion was, that he had received wrong. But after a long consultation how to remedy this inconvenience, many things being proposed and discussed, but no meanes found how to treat without danger of greater incounters, in case the *Electors* should interpose (as it was impossible to forbid them) the common opinion was, that they were to avoid all negotiation, because it would conclude with the dishonour of the Pope, and that it was better not to expect any request to be made from the Emperour. This was approved by the Pope, who thought it wisedome to give that, which he could neither keepe not sell. He therefore presently called for *Franciscus della Torre*, the Emperours Minister in *Rome*, and tolde him that he approved the resignation of *Charles*, A succession of *Ferdinand* to the Empire, promising to write unto him with the usuall titles, and bade him send advice hereof.

John Angelo, C. of *Medici*, is created Pope.

He approveth the resignation of *Charles*, and the succession of *Ferdinand*.

After this, he thought seriously of the Councell, being assured he should be

be importuned for it from divers parts. Conferring with the Cardinall *Morone*, whom he truſted for his wiſedome and friendſhip, he much doubted, as himſelfe ſaid, whether the Councell were good for the Apoſtolique Sea, or not; and if not, whether it were better to deny it abſolutely, and freely oppoſe whoſoever ſhould deſire it, or to make ſhew was he willing, and to croſſe it with ſome impediments, beſides thoſe which the buſineſſe it ſelfe would bring: and if it were fit to celebrate it, whether it were better to expect untill he were requeſted, or to prevent and require it himſelfe. He called to minde the cauſes why *Paul* the 3 did diſſolve it under colour of tranſlation, and the hazards which *Julius* did runne, if good fortune had not aſſiſted; that now there was no Emperour *Charles* to be feared, and that the weaker the Princes are, the BB. are the more bolde, who were the more to be looked unto, becauſe they cannot advance themſelves but upon the ruines of the Papacy. To oppoſe openly the demand of the Councell was ſcandalous, in regard of the glorious name thereof, and of the vaine opinion which the world hath, that it muſt needs be profitable; as alſo becauſe every one is perſwaded, that the Councell is refuſed for feare of reformation; which maketh the refuſall a greater ſcandall. And if neceſſity ſhall enforce to grant that which had beene abſolutely denied, it will be a totall loſſe of reputation, and incite the world to debaſe him who hath oppoſed. In theſe ambiguities the Pope was aſſured that the Councell could not be profitable for the Church, nor for the Kingdoms divided, and muſt neceſſarily endanger the Papall authority; yet he could not openly oppoſe it, becauſe the world was uncapable of this truth. But he was uncertaine, whether, in caſe the Kings or Kingdomes did require it, the conjunctures of the future affaires might be ſuch, as that the ſecret impediments might take effect. When hee had thought of all, he concluded to ſhew himſelfe ready, yea, deſirous, and to prevent the deſires of others, that he might conceale himſelfe the better in croſſing them, and have more credit in repreſenting the contrary difficulties, referring to the ſuperiour cauſes that deliberation, to which humane judgement could not reach. So much he reſolved of, and no more. 1559 Pius 4. Ferdinand. Elizabeth. Francis 2. And conſulteth about the Councell.

The Coronation was made at the Epiphany; and the eleventh of the ſame moneth he held a frequent Congregation of Cardinals, in which he declared his minde at large, that he would reforme the Court, and call a generall Councell, charging them all to conſider what things deſerved reformation, and of the place, time and other preparations of the Synod, that it might not bring foorth the ſame fruit that it had done twice before. And afterwards he ſpake of this in his private diſcourſes with the Cardinals and Ambaſſadours, upon all occaſions; yet did nothing which might manifeſt his intention more plainely.

Newes came to the Emperour at *Vienna* of what the Pope had intimated to his Miniſter; who immediatly deputed an Ambaſſadour, and, before his departure, wrote to the Pope to give him joy of his aſſumption, and thankes that he had wiſely, and like a Father, ended the difficulty, which *Paulus* 4 had, againſt reaſon and equity, ſet on foot, giving him an account of the Ambaſſadour which hee had appointed to come unto him. This was *Scipio*, Count of *Arco*, who came to *Rome* the tenth of February, and The Emperour ſendeth an Ambaſſador to *Rome*.

fell

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fell into a great difficulty in the very beginning. For the Emperor gave him commiſſion to render to the Pope reverence only, and the Pope was reſolute he ſhould render him obedience, ſhewing that the Ambaſſadours of others Emperors had done ſo to his predeceſſors, and ſaid plainly, that otherwiſe, he would not admit him. The Ambaſſadour of *Spaine*, and the Cardinall *Pacceco* adviſed him not to tranſgreſſe his commiſſion, but the Cardinals *Morone* and *Trent* perſwaded the contrary; whoſe opinion he followed, becauſe the Emperour had given him charge to conſult with thoſe two Cardinals in all matters. After the ceromony was ended in the Conſiſtory, with ſatisfaction of the Pope, the Ambaſſadour, begin to pray him in the firſt private audience, in *Cæſars* name, to call the Councell to compoſe the diſſentions of *Germany*, was prevented by him, with the Ambaſſadors great contentment; who beleeving that he was to treat with the Pope, about an unpleaſing buſineſſe, was prepared to deliver it in ſugered termes, that it might be heard more willingly. The Pope told him, that the Cardinals, being in the Conclave, conſulted how they might ſet the Councell on foote againe, in which conſultation himſelfe was a very principall party; and now being Pope, was more confirmed in the ſame determination. Yet he would not proceed blindely, but ſo as that he might avoid the difficulties, which happened before, and would bee ſure of the neceſſary preparatories, that the deſired fruit might ſucceed. Hee ſaid the like to the Ambaſſadours of *France* and *Spaine*, and wrote to his *Nuncii* to impart it to their Kings: hee ſpake of it alſo with the Ambaſſadours of the King of *Portugall*, and of the Princes of *Italy*, which were in *Rome*.

Who, after ſome conteſtation, rendereth obedience to the Pope, not reverence only.

And is well pleaſed that his Holineſſe beginneth to ſpeake of the Councell.

After this the Duke of *Savoy* ſent one expreſly to deſire the Pope, that by his favour, he might make a *Colloquie* of religion, to inſtruct his people of the *Vallies*, who were generally alienated from the old religion. Theſe were a part of the *Waldenſes*, who, 400 yeeres ſince, forſooke the Church of *Rome*, and in regard of the perſecutions, fled into *Polonia*, *Germany*, *Puglia*, *Provence*, and ſome of them into the *Valleys* of *Mountſenis*, *Luſerna*, *Angronia*, *Peroſa*, and S. *Martin*. Theſe having alwayes continued in their ſeparation, with certaine miniſters of their owne, whom they called Paſtors, when the doctrine of *Zuinglius* was planted in *Geneva* did preſently unite themſelves with thoſe, as agreeing with them in points of doctrine, and principall rites: and when *Piemont* was under the French-men, though they were forbid upon paine of death to exerciſe their religion, yet by little and little, they made it publique, ſo that when that Countrey was reſtored to the Duke of *Savoy*, the exerciſe of it was almoſt free. The Duke reſolved to make them receive the Catholike religion, ſo that many were burned, and put to death by other meanes, and more condemned to the Gallyes, at the inſtigation of the *Inquiſitor*, *Thomaſo Jacomello*, a *Dominican Friar*. This made them conſult whether it were lawfull to defend themſelves with Armes; wherein their miniſters did not agree. Some ſayd they might not oppoſe their Prince, though it were to defend their owne lives, but might carry away their goods and retire into the Mountaines. Others ſaid they might uſe force, in ſo deſparate a caſe as this, eſpecially it being not ſo much againſt the Prince, as againſt the Pope, who abuſed the authority of the Prince. Many of them did

The Duke of *Savoy* demanded leave of the Pope to hold a Colloquie.

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did follow the first opinion, and the others stood upon their guard; so that the Duke perceiving they had not rebellious thoughts, and that they might easily be gained by instruction, received the counsell which was given him, to institute a *Colloquie* to this end. But because he would not displease the Pope, by proceeding without his knowledge, he gave him an account hereof, and asked his consent. The Pope being angry that in *Italy* also, even under his nose, his authority should be questioned, answered that hee would consent by no meanes; but, if those people had need of instruction, he would send a Legat, with authority to absolve them who would be converted, accompanied with Divines who might give them instruction. But he said hee had little hope to convert them, because the hereticks are obstinate, and whatsoever is done to exhort them to acknowledge their fault, they expound to be a want of force to compell them. That it cannot be remembred that any good was ever done by this moderation, but that experience is taught, that the sooner justice is used, & force of Armes, when that other is not sufficient, so much the better the successe is. If he would proceed thus, he would send him assistance; but if he thought it not fit, all might be deferred untill a generall Councell, which he would suddenly call. The Duke did not like the sending of a Legat, because it would have provoked them more, and forced him to proceed according to the interests of others, thinking it better to take Armes, which the Pope commended more, and promised assistance. Therefore there was warre in these *Valleys* all this yeere, and part of the next, whereof we will speak in the time when it ended.

To instruct the people of his *Valleys*, whom before he had persecuted.

But his Holinesse refuseth to grant it,

And therefore the Duke taketh Armes against them.

There was a great conspiracie in many parts of *France*, into which many were entred, and the major part for cause of Religion, disdaining to see poore people drawne every day to the stake to bee burned, guilty of nothing but of zeale to worship God, and to save their owne soules. To these were joyned others, who, thinking the Guisards to be the cause of all the disorders of the Kingdome, judged it an heroike act to deliver it from opression, by taking the publike administration out of their hands. There were also ambitious persons, desirous of change, who would not work their will, but in the middest of troubles. Both these covered themselves with the cloak of Religion, to gaine more followers: and the better to confirme their minds, caused the Principall Lawyers of *Germany* and *France*, and the most famous Protestant Divines to publish in writing, that without violating the Majesty of the King, and dignity of the lawfull Magistrate, they might oppose with Armes, the violent domination of the house of *Guise*, who offended true Religion, and lawfull justice, and kept the King as it were in prison. The Conspiratours prepared a great multitude, who should appeare before the King, without Armes, to demand that the severity of the judgement might bee mitigated, and liberty of conscience granted, designing they should be followed by Gentlemen, who should make supplication against the government of the Guisards. The conspiracie was discovered, and the Court retired from *Blois*, an open place fit for the execution of such a purpose, unto *Amboise*, a strong fortresse. This troubled the Conspiratours; who, while they were thinking of a new course, some of them, who took Armes, were beaten and slaine, and others taken and sentenced to die; and to appease the

A great conspiracie in *France*, and the causes of it.

The Conspirators are discovered and many of them executed, and the rest pardoned.

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tumult, pardon was granted by the Kings Edict, dated the eighteenth of March, to all, who ſimply moved with zeale of Religion, had entred into the conſpiracie, ſo that they diſarmed within 24. houres. Afterwards the King, by his Edict, pardoned all the reformatiſts, untill they returned to the Church. Hee forbad all aſſemblies for Religion, and committed to the Biſhops the hearing of the cauſes of hereſie. This diſpleaſed the Chancellour; though he conſented, for feare the Spaniſh *Inquiſition* would be brought in, as the Guiſards deſired.

The Proteſtants do increaſe by meanes of the Preachers of *Geneva*.

The humours moved were not quieted by the puniſhment of the Conſpirators, and the pardons publiſhed, nor the hopes laid aſide, which they had conceived, to have liberty of Religion, yea, greater tumults of the people were raiſed in *Provence*, *Languedoc*, and *Poitou*, whether the Preachers of *Geneva* were called, and came willingly: by whoſe Sermons the number of the Proteſtants did increaſe. This generall and ſudden combination made the governours of the Kingdome reſolve, that there was need of an Eccleſiaſticall remedy, and that very quickly; and a Nationall Synod was propoſed by the whole Councell. The Cardinall of *Armignac* ſaid, that nothing was to be done without the Pope; that he alone was able to make proviſion; that they ſhould write to *Rome*, and expect an anſwer. To which opinion ſome few Prelats did adhere. But the Biſhop of *Valence* ſaid, that a ſudden remedy could not be expected from the Pope, becauſe he was farre diſtant, nor a fit one, becauſe he was not informed of the particular neceſſity of the Kingdom, nor a charitable one, becauſe he was buſied in making his Nephewes great; that God had given to all Kingdomes, all things neceſſary to governe them; that *France* had Prelats of his owne to regulate the cauſes of Religion, who better know the wants of the Kingdome; that it would be a great abſurdity to ſee *Paris* burne, having the rivers of *Some* and *Marne* full of water, and to beleeve that water muſt be brought from *Tiber*, to quench the fire. The reſolution of the Councell was, that, there being need of a ſtrong and ſudden remedy, the Prelats of the Kingdome ſhould aſſemble, to finde a way to hinder the courſe of theſe great miſchiefes: and the eleventh of Aprill the Synod was intimated, for the tenth of September.

A Nationall Synod is intimated in *France*.

But that the Pope might not take it in ill part, a Currier was diſpatched to *Rome*, to give him an account of the reſolution, and to enforme him of the neceſſity of that remedy, and to pray him not to take it amiſſe. The Ambaſſadour repreſented to his Holineſſe the infection of the Kingdome, and the dangers, and the hope which the King had of ſome good remedy by a generall Convocation of the Prelats, without which he ſaw no means to make an effectuall proviſion. Therefore he was forced not to deferre longer, nor to expect remedies from places remote, which were uncertaine, and long in comming, and to uſe that which was in his owne power: and he added, that no conſtitution of that Synod ſhould bee of force before it were confirmed by his Holineſſe. The Pope, on the contrary, did grievouſly complaine, that the King had pardoned the errours committed againſt Religion, even of thoſe who did not aske it; wherein none had power but himſelfe. And what King is there (hee ſaid) who thinketh hee is able to pardon offences againſt God? That it is no marvell, if by the juſt wrath of God, there

The Pope blameth the French King for pardoning hereticks.

be

be ſo many tumults in that Kingdome, where the ſacred Canons are diſ- 1559
eſteemed and the Popes authority uſurped. He ſaid that the aſſembling of the PIUS 4.
Prelats would do no good, yea, would cauſe a greater diviſion; that he had FERDINAND.
propoſed a generall Councell, which was the onely remedy; that the cauſe ELIZABETH.
why it was not aſſembled already, proceeded from them who would not FRANCIS 2
have it; that he was reſolved to celebrate it, though it were deſired by none, And will not
but would not by any meanes conſent to the aſſembly of the Prelats, either approve the
in *France*, or elſewhere; that this was never tolerated by the Apoſtolike Sea; Nationall
that if every Prince ſhould celebrate Councels of himſelfe, a confuſion and Synod.
ſeparation of the Church muſt needs follow. Hee complained much that the aſſembly was firſt intimated, and then his conſent demanded; which he muſt needs think was done with ſmall reſpect of the head of the Church, to whom all Eccleſiaſticall affaires are to be referred, not to give him an account when they are done, but to receive from him authority to do them; that the Edicts publiſhed did inferre an Apoſtaſie in that Kingdome from the Sea of *Rome*; for remedy whereof, he would ſend an expreſſe Nuncio, to make his will knowne to the King.

He ſent the Biſhop of *Viterbo*, with inſtruction, to ſhew him that a Na- But ſendeth a
tionall Councell of that Kingdome, would be a kind of Schiſme from the Nuncio into
univerſall Church, give a bad example to other Nations, and make his Pre- *Spaine* to diſ-
lats proud, aſſuming greater authority, with diminution of his owne; that ſwade it.
it is generally knowne how earneſtly they deſire the reſtitution of the *Pragmatique*, which they would firſt of all bring in, by which meanes the King would loſe his whole collation of the regalities, and the preſentation of the Biſhopricks and Abbies: whence it would follow that the Prelats, not acknowledging the power of the King, would refuſe to obey him. And yet, with all theſe inconveniences, the evils which do now preſſe him, would not be provided againſt. For the hereticks do profeſſe already that they eſteem not the Prelats, ſo that whatſoever they ſhould do would be oppoſed by the Proteſtant Miniſters, if for no other cauſe, becauſe it was done by them; that the true remedy was to make the Prelats, and other Curats reſide, and keep their flocks, oppoſing the furie of the woolves, and to proceed in juſtice againſt thoſe who are judged to bee hereticks, by the judges of faith; and where it cannot bee done in regard of the multitude, to uſe force of armes, to compell all to the performance of their duty, before the contagion doth increaſe; that all theſe things being done now, all differences might be completely ended, by the celebration of the generall Councell, which hee would immediately intimate; that, if the King would reſolve to reduce the contumacious to obedience, before they did more increaſe in number and ſtrength, he promiſed to aſſiſt him with all his power, and to labour that the King of *Spaine*, and Princes of *Italy* ſhould do the like. But if hee would not bee perſwaded to compell his ſubjects by force, the Nuncio had inſtruction to propoſe unto him, that all the miſchiefe which troubleth *France*, and the poyſon, which infecteth that Kingdome and the neighbour places, commeth from *Geneva*; that the extirpation of that root And to per-
would take away a great nouriſhment of the evill; that making warre out of ſwade the King
the Kingdome, he ſhould evacuate thoſe bad humors, which did trouble it. to make warre againſt Geneva

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Therefore he was to exhort the King to joyne with him in this good work, promiſing that he would induce the King of *Spaine*, and the Duke of *Savoy*, to do the like.

The Pope gave the Biſhop Commiſſion alſo to negotiate the ſame thing with the Duke of *Savoy*, as he paſſed. He wrote to the King of *Spaine*, and dealt with him by his Nuncio, that he would labour to divert his coſin from the Nationall Councell, which would be hurtfull to *France*, and a bad example for *Spaine*, and worſe for the Low Countries. The Duke of *Savoy* hearkened to the propoſition of the warre of *Geneva*, promiſing to employ himſelfe wholly in it, ſo that thoſe two Kings would be content to aſſiſt him, and that the warre were to be made by him and for him. For that Citie belonging to his Dominion, it was not juſt, in caſe it were wonne, that any ſhould poſſeſſe it but himſelfe. Therefore if his Holineſſe would come to the effect, it was neceſſary to make a league with plaine capitulations, leſt ſome great inconvenience might ariſe, if either the Kings ſhould not agree, or himſelfe ſhould be abandoned, after he had provoked the *Suiſſes* againſt him, who would undoubtedly defend the Citie.

For *Geneva*, the King of *Spaine* conſidered, that *France* would not permit it ſhould bee in the hands of any but French-men, which was not good for his ſervice, in regard of the vicinity of the *Franche Countie*. Therefore hee anſwered that hee thought it not a fit time to make attempt. But for the Nationall Councell of *France*, hee was perſwaded it would be a dangerous example to his States. Therefore hee diſpatched away *Antonio di Toledo*, Prior of *Lions*, to ſignifie to the French King, that the celebration of that Councell would bee very hurtfull, in regard of the diviſion which might ariſe, the Kingdome being infected. Hee prayed him not to go on herein, and ſaid, that nothing moved him to make this requeſt, but onely his love to him, and his zeale to the glory of God. Hee left to his conſideration, beſides the contentions which it might cauſe within his Kingdome, the pernicious example which other Provinces would take, and the prejudice it would bring to the Generall Councell, which was to be held, and was the onely remedy for all the evils and diviſions of Chriſtendome; that it would ſhew there was not ſo good intelligence betweene the Emperour and them as ſhould be, and would make the Proteſtants wax proud, in prejudice of the publike cauſe. Hee added, that hee wanted not force to repreſſe the inſolencies of his ſubjects, and, if hee would make uſe of the forces of him the King of *Spaine*, he would very willingly employ them in this caſe, and his owne perſon alſo, if there were need, that his ſubjects might not boaſt they had brought him to any indignity: whereof he was to conſider much now, in this beginning of his reigne. Hee gave Commiſſion alſo to his Ambaſſadour, that, if he could not obtaine this, he ſhould, for the ſame and other reaſons, negotiate a ſuſpenſion of it, for as long a time as he could, and ſhould treat with the Cardinall of *Loraine*, who, as he underſtood, had a great hand in this Councell, that, as a Prince of the Church, and as having a great part in the government of that Kingdome, hee was bound to conſider the dammage which might redound to it, and all Chriſtendome. He cauſed alſo the ſame requeſt to be made to the Duke of *Guiſe*, the Conſtable, the

The King of *Spaine* diſſwadeth the French King from the Nationall Synod.

Queene

Queene mother, and to the Marshall Saint *Andrew*. He gave him commission also to advise the Dutchesse of *Parma*, and *Vargas* his Ambassadour at *Rome*, of whatsoever he did. Likewise he gave the Pope advice of the earnest request he had made by one expresly sent, and of the need that King had of assistance. To this he added the necessity in which himselfe was, the Turks having taken from him the yeere before, twenty Gallies, twenty five round Ships, and the fortresse of *Gerbe*, which forced him to increase his Armie. He therefore requested his Holinesse, to grant him a large Subsidy of the Churches, and Benefices of his Kingdomes.

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And demandeth of the Pope a Subsidie from the Ecclesiasticks.

The proposition of assaulting *Geneva*, was not well taken in *France*; because it would make the Hugonots (so the Reformatists are called) suspicious, and unite themselves. Besides, none going to that warre but the Catholikes, the Kingdome would bee left open to the opposites. And to provoke the Suisses, protectors of that Citie, seemed not good, in regard of the service they might do that Crowne. Therefore they answered the Nuncio onely thus, that, while so great confusion did afflict the Kingdome within, it was impossible to apply themselves to matters abroad. But, for the Nationall Councell, the same answer was given to *Toledo* and the Nuncio, that the King was resolved to keep himselfe and the Kingdome in the Catholike union; that he would make a Nationall Councell to separate himselfe, but to unite to the Church those that went astray; that a Generall Councell would more please, and, in likelihood, be more profitable, if his urgent occasions would suffer him to expect the time, which must needs be very long; that the Nationall Councell, which he desireth, shall depend on the Apostolike Sea, and the Pope, which shall cease when the Generall shall be assembled, and shall incorporate with it. And that his deeds may answer to his words, he desired the Pope to send a Legat into *France*, with power to assemble the Bishops of the Kingdome, and to settle the affaires of Religion.

The French men are distasted with the proposition of assaulting *Geneva*.

The French Kings answer concerning the Nationall Synod.

The Pope cast forth the Proposition to make warre against *Geneva*, not so much for the hatred hee bare to that Citie, as the Seminary of the Zuinglian Preachers in *France*, or for feare of some innovation in *Italy*, as to prolong the treaty of the Generall Councell. For if the warre had beene kindled, it would have lasted a yeere at the least, and in the meane while, the Councell would have beene forgotten, or a good forme would haue beene found for it. But now, seeing that his proposition did not take effect, and that the French did still persevere in their resolution for a Nationall Synod, hee thought it necessary not to deferre his determination for the generall, and to stop the French-men with this, and with some grant of what they desired. He conferred hereof with the Cardinals which were most intimate with him, and particularly about the place, which seemed of most importance, because, in conclusion, the Councell doth produce effect according to the minde of him that is strongest in the place where it is celebrated. Hee would faine have proposed *Bolonia*, or some other of his owne Cities, promising to go thither in person, but saw it would bee ill construed by the world. He was resolved not to accept of any Citie beyond the Mountains, no not to heare any proposition of it. The Cardinall *Pacceco* proposed *Mi-*

Maketh the Pope hasten the Generall Councell.

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lan, and he condeſcended, ſo that he might have the Caſtle in his hands, during the time of the Councell; which was to referre himſelfe to an impoſſible condition. He thought alſo upon ſome of the Venetian Cities, but the Republike excuſed it ſelfe, leſt they ſhould make the Turks ſuſpicious, of whoſe forces they were then afraid. When he had conſidered all, he found no fitter place then *Trent*. For the Councell having been held there twice before, every one had experience of what was good, and what bad in that place, and therefore would more eaſily conſent to go thither then elſewhere. And there was alſo ſome appearance of reaſon for it, becauſe the Councell, celebrated by *Julius*, was not finiſhed, but ſuſpended. Hee thought to ſatisfie the French men, by ſending Cardinall *Tornon* into *France*, not in quality of a Legat, but with power, when he was there and ſaw their need, to aſſemble ſome of the Prelats of the Kingdome, ſuch as the King and himſelfe thought fit, but not all, that there might be no appearance of a Councell, and to treat with theſe, but to reſolve of nothing.

Who, after conſultation, thinketh *Trent* the fitteſt place for the aſſembly,

And ſendeth Card. *Tornon* into *France* to hinder a Nationall Synod there.

There were alſo two other accidents of no leſſe conſideration, which thruſt the Pope forward to ſpeak more plainely of a Councell; one farre off, but imported the loſſe of a Kingdome; the other concerned one perſon onely, but was of great conſequence. The Nobility of *Scotland*, who had a long time made warre to chaſe the French men out of the Kingdome, and to take the government out of the hands of the Queene Regent, and had ever encountred many difficulties, in regard of the great ſuccours, ſent her by her ſonne in law the French King, to maintaine the Kingdome for his wife; finally, that they might quite free themſelves, they reſolved to joyne with the Engliſh, and incite the people againſt the Regent. To this end they gave way to liberty of Religion, to which the people was inclined. By this meanes they brought the French men into great ſtraits, and the old Religion was little eſteemed; for which the Pope was blamed, becauſe the world thought, that, if the Councell had beene begun, all popular commotions would have beene ſtopped. The other accident was, that the King of *Bohemia* had, a long time, held intelligence with the Proteſtant Electors, and Princes of *Germany*, and was formerly ſuſpected for it by *Paul* the fourth, ſo that he could not refraine to object to the Emperour, in private diſcourſe which he had with *Martin Guſman* his Ambaſſadour, that his ſonne was a favourer of hereſie. The ſame ſuſpicion continuing in the Court after the death of *Paul*, the Pope cauſed the Count of *Arco* to tell him, that if hee would not live as a Catholike, he would not confirme him King of the Romanes, yea, would deprive him of all Dominion. Notwithſtanding this, advice came afterwards to *Rome*, that hee entertained a Preacher, and heard him often, who had brought in the uſe of the *Cup* in divers places, but not in the Citie; and the King himſelfe ſaid, hee could not receive it otherwiſe: which although hee put not in practice, yet thoſe words gave the Pope great ſuſpicion, eſpecially becauſe, almoſt in all places of *Germany*, the Communion of the Chalice was uſed by all that would, and none hindred the Prieſts to miniſter it. For all theſe former reſpects the Pope was reſolute to make this great jump.

Scotland revolteth from the Pope.

Maximilian is, not without cauſe, thought to be a Proteſtant.

Which two accidents incite the Pope to call the Councell quickly.

The third of June he called the Ambaſſadours of the Emperour, of *Spaine*, *Portugal*,

Portugal, *Polonia*, *Venice*, and *Florence*; who appearing all before his Holineſſe, except the Ambaſſadour of *Polonia*, that was ſick, he complained firſt, that he could not call the French Ambaſſadour for feare of ſome queſtion of precedencie, which was a cauſe to hinder the publike benefit of conſulting on the common affaires of Chriſtendome: but thoſe two Kings being couſins, it was neceſſary they ſhould reſolve to accommodate the difference, for the good of the Chriſtian Common-wealth, and eſpecially of their owne Kingdomes. Then he ſaid, that, the cauſe why he had called them, was the celebration of the Councell, which hee was reſolved to bring to effect, removing all difficulties, which Princes, for their owne ends, might ſet on foot: that the place ſhould be *Trent*, which having pleaſed twice, could now bee denied by none, in regard it was not a new place, and the Councell celebrated there onely ſuſpended. Therefore taking away the ſuſpenſion, the Councell is open, as before; and many good Conſtitutions having beene made there, it would not be fit to call them in queſtion, by making ſhew of calling a new Councell. Hee added that it was neceſſary to do it quickly, becauſe things grew worſe every day, as appeared in *France*, where they treated of a Nationall Councell; which he neither would nor could endure, becauſe *Germany*, and every Province would do the like; that he would give order to his *Nuncij*, with the Emperour, Kings of *France* and *Spaine*, to treat hereof with their Majeſties, and did now intimate the ſame to all them, that they might ſend their Princes word of it. For although hee could both reſolve and execute of himſelfe, yet he thought fit to do it with their knowledge, that they might put him in minde of ſome things for the common benefit, and reformation of the Church, and ſend Ambaſſadors to the Councel, and favour it by treating with the Proteſtants. He added, that he did beleeve that ſome of the Princes of *Germany* would go thither in perſon, and that hee was ſure the Marqueſſe of *Brandeburg* would.

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Wherein hee declareth his purpoſe to all the Ambaſſadours reſiding with him.

Vargas made a long anſwer, relating what had beene done in former Councels. Hee diſcourſed of the manner of celebrating Councels, and then deſcended to the place, and ſpake of what was done in *Trent*, where himſelfe was preſent. Hee diſtinguiſhed Generall Councels from Nationall, much condemning that which was intimated in *France*. The Ambaſſadour of *Portugal* commended the Popes purpoſe, and promiſed the obedience of his Maſter. The Venetian ſaid, that, in times paſt, never any better remedy was found then Councels, and thanked GOD for inſpiring his Holineſſe to do ſo pious a work, which was for the preſervation of Religion, and benefit of Princes, who could not hold their States in peace in change of Religion. The Florentine Ambaſſadour ſpake in the ſame manner, offering all aſſiſtance from the Duke. The Pope wrote to his Nuncio in *Germany*, *France*, and *Spaine*, in conformity of that which he ſpake to the Ambaſſadours, Yet he never talked of the Councell, but hee caſt forth ſome ſeed of a contrary herbe, which might hinder the birth of it, or choke it afterwards; being aſſured, that, when the affaires of the world did ſtand ſo, that the life of it might do him ſervice, he could root out that which he had ſowed upon it. Hee told the ſame Ambaſſadours apart, ſome more plainely, ſome in jeſt, that, to call the Councell with profit, it was neceſſary to think more of the end, then

But alwayes uttereth ſomething that may croſſe it.

of

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of the beginning, and of the execution, then of the Convocation, proſecution: that the Convocation belonged to him alone, the proſecution to him and the Prelats, the execution to the Princes: and therefore that it was meet, that, firſt of all, they ſhould binde themſelves to it, and make a league, and elect a generall Captaine, to go againſt the diſobedient, to execute the determinations of the Councell, conſidering, that without this, it would be fruitleſſe, and diſhonourable to the Apoſtolike Sea, and to thoſe Princes who had ſent Ambaſſadours, and afforded favour and aſſiſtance.

The French King doth not think *Trent* a fit place for the Councell,

The Pope did not receive a conformable anſwer from his *Nuncy*. The King of *Spaine* commended the Councell, approved the place of *Trent*, promiſed to ſend his Prelats to it, and to favour it by all other meanes; but added, that it was not fit to do any thing without the good will of the Emperour, and French King. The anſwer of this King was, that hee approved the celebration of the Councel, but not the place of *Trent*, alleadging that his Prelats could not go thither, and propoſing for places more fit, *Conſtance*, *Triers*, *Spire*, *Wormes*, or *Aganoa*. He intimated alſo, that they ought not to make a continuation of the things begun in *Trent*, but to abandon them quite, and make a whole new Councell. This anſwer troubled the Pope, who thought it did not proceed from the Kings owne motion, but from the Hugonots.

Nor that the doctrines, already diſcuſſed there, ſhould be maintained without reexamination,

But the Emperour ſent a long writing, in which he ſaid, he could promiſe nothing for the Princes of *Germany*, before he knew their opinion; which he could not do without a Diet, which if he would call, it was neceſſary not to name the Councell, becauſe the Princes would not go thither, but pretending another cauſe to call it, hee might afterwards ſpeak of it by occaſion. Hee added, that, for his patrimoniall States, he had no hope to bring them to the Synod, without granting them the Communion of the Cup, and marriage of Prieſts, and without a good reformation were made; but above all, that no mention ought to be made of a continuation of the things begun in *Trent*. For the Lutherans would never conſent otherwiſe, yea, the very name of *Trent* would make them refuſe. And he propoſed *Conſtance* or *Ratisbon*. The Pope ſaw that the propoſition of a Diet did require the time of a yeere, and perhaps of two, and was glad of it, but was ſorry that the occurences of *France* required haſte. Hee told every one, to ſhew his forwardneſſe, that he cared not for one place more then another, and would take *Spire*, *Collen*, or any other Citie which pleaſed the Emperour, ſo that the Biſhops might come and go in ſafety it not being convenient to ſecure thoſe who have no voyce in the Councell, and leave others without ſecurity who certainely have. But it was not fit to ſpeak of revoking what was done in *Trent*, ſaying he would ſpend his blood in maintaining it, it being a matter of faith. Concerning that which is of humane conſtitution, as the communion of the Cup, and marriage of Prieſts, theſe prohibitions being made for a good end, as he would not take them away of himſelfe, which he had power to do, ſo he would referre all to the Councell, howſoever, hee ſaw they would never forſake their opinion whatſoever was granted them. Hee complained of the Emperours weakneſſe, who feared his owne ſonne no leſſe then others, and then deſired the Prelats

Of whoſe opinion the Emperour is.

ſhould

should be sent into *Germany*, where he declared he had not power to secure them; that he would go to *Constantinople*, so that hee might have security, which could not be expected from the Emperour; that the Germans were almost all hereticks, and the King of the Romans more potent then his Father; that he regarded not one place more then another, so that it were in *Italy*, which onely is secure for the Catholikes. 1559 PIUS 4. FERDINAND. ELIZABETH. FRANCIS 2.

Therefore he answered the French King, and the Emperour, in generall termes, that he was content with any secure place, saying, that the security of the Councels hath alwayes beene esteemed necessary, and was now as much as ever; without making particular opposition against the places named by them. But, in his answer to the Catholike King, hee commended his good minde, and confirmed him in his purpose; and, for the subsidie he desired, hee interposed divers difficulties, as well to maintaine the profits of the Church, as not to offend him, and make him his opposite, in the time of the Councell. The Popes answer to them both.

The affaires of the Catholikes waxed every day more difficult. For the Hugonots in *France* grew stronger, and in *Scotland* liberty of Religion was granted to all by publike Decree, and in *Flanders* the humors were prepared to stirre, upon the first occasion; which the King did appease by proceeding slowly, granting them what they would, though to his owne losse and indignity. First, they refused to contribute to the King before the Spanish souldiers were removed out of the Countrey; when these were dismissed, they would pay to none but to the people of their owne Countrey, and onely for the guard of strong places, and those not to depend of the Kings Ministers. The King endured all, knowing that every little distaste would make them set on foot the pretence of Religion, and expected untill the heat were extinguished; which he did the rather, because it was discovered that the seeds of the new opinions in *Spaine* were not dead, but onely covered for feare, and that in *Savoy* there were more hereticks besides the old *Waldenses*. The Low-country men wax peremptory against their King.

But the Court of *Rome* was grieved most of all, that the Pope, having by his nephew *Marcus Altemps* (who afterwards was Cardinal) perswaded the King of *Bohemia* to be a good Catholike, with many promises of honours and profits, intimating the succession of the Empire, which he would hardly obtaine in case he should do otherwise, was answered by the King, that he thanked his Holinesse, but that his soules health was more deare to him, then all the things of the world; which answer they said in *Rome*, was a Lutheran forme of speech, and signified an alienation from the obedience of that Sea; and they began to discourse what would happen after the Emperours death. While these accidents troubled the Popes minde, newes was brought him, that the Hugonots, his Subjects in the territorie of *Avignion* were assembled, and disputed whether they might take Armes against the Pope their temporall Lord, and resolved they might, because his succession was not lawful, as well because that Country was not justly taken from *Raimondus*, Count of *Tholouse*, as also for that the Ecclesiasticks cannot, by the commandement of Christ, possesse any temporal Dominion: and resolving to rebel, by the means of *Alexander Guilotimus*, a lawyer, put themselves under the protection of *Charles de Montbrun*, who was in Armes for Religion, and was much The answer of *Maximilian* to the Popes Nephew, concerning his Religion. The Popes subjects of *Avignion* rebell against him.

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much followed in *Dolphinie*. *Charles*, entring the territory with three thouſand foot, made himſelfe Lord of the whole Countrey, with much joy of the inhabitants. *James Maria*, Biſhop of *Viviers*, Vice-Legat of *Avignion*, made oppoſition, and very hardly kept the Citie. The Pope was much afflicted herewith, not ſo much for the loſſe of the Countrey, as for the cauſe, which, being taken for an example, would touch the very root of the Papacie. Therefore he ſent Cardinall *Farneſe*, who was Legat, to defend the Citie. But the danger was moderated, becauſe Cardinall *Tornon* (whoſe Neece *Charles* had married) who was then not farre from that place, as he was going to the Court, made him deſiſt, and go to *Geneva*, by promiſing reſtitution of his goods, confiſcated for rebellion, and to be recalled ſhortly, with liberty of conſcience, if he would go out of *France*. So the Popes territory, deprived of that protection, did remaine in ſubjection, but full of ſuſpicions, and ready to embrace every novitie.

But all danger was taken away by means of Cardinall *Tornon*.

The Proteſtants ſtill increaſing in *France*, and which was of more importance, the diſſentions and ſuſpicions betweene the Grandies, the 21. of Auguſt 1560. the King called a very great aſſembly at *Fountainbleau*, in which having briefly exhorted to ſet downe what was fit for his ſervice, the neceſſities of the Kingdome were declared by the Chancellour, which he compared to a man ſick of an unknowne diſeaſe. Afterwards *Jaſper Colignie* gave the King ſome petitions, which he ſaid were delivered to him by a multitude of people, when hee was in *Normandy*, unto whom he could not deny this favour, to preſent them to his Majeſty. The ſome of them was; that the faithfull Chriſtians, diſperſed throughout the whole Kingdome, did pray his Majeſty to look on them with a favourable eye; that they deſired nothing but a moderation of the cruell puniſhments, untill their cauſe were heard; and that they might make publike profeſſion of their Religion to avoid ſuſpicion by private aſſemblies. Then *John Monluc*, Biſhop of *Valence*, having declared the infirmities of the Kingdome, and commended the chaſtiſing of the ſeditious, ſaid, that the cauſe of the evill remained, yea ſtill grew worſe, ſo long as Religion might be taken for a pretence; againſt which, proviſion had not beene formerly made, becauſe the Popes had no other aime, but to hold the Princes in warre; and the Princes, thinking to ſuppreſſe the evill with puniſhments, have not attained the wiſhed end, nor the Magiſtrates and Biſhops juſtly performed their duty. The principall remedy was to flie unto God, to aſſemble godly men out of the whole Kingdome, to finde away to root out the vices of the Clergie, to forbid infamous and immodeſt ſongs, and in ſtead of them to command the ſinging of Pſalmes, and holy hymnes, in the vulgar tongue, and if the common interpretation which goeth about bee not good, to take away the errours, ſuffering that which is good to bee uſed by all. Another remedy was, the Generall Councell, alwayes uſed to compoſe ſuch differences, that he could not ſee how the Popes conſcience could be quiet one moment, in regard ſo many ſoules did periſh every day, ſaying, that if a Generall Councell could not bee obtained, they were to aſſemble a Nationall, by the example of *Charles* the Great, and *Lewis* the *Deboneere*, that they did grievouſly erre who troubled the publike quiet with armes, upon pretence of Religion, a thing alwayes abhorred by antiquity; that

1560 The French King calleth an aſſembly at *Fountainbleau*,

In which the opinions were divers.

that their errour was as great, who condemned to death those that adhered to the new doctrine, onely for the opinion of piety; who, dying constantly, and contemning the losse of their goods, stirre up the minds of the multitude, and make them desirous to know what faith that is, for which they endure so great punishments. 1560

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Charles Marillac Bishop of *Vienna*, spake in the same manner; commending the Generall Councell, but adding, that it might sooner bee desired then hoped for, considering the difficulties which do usually arise in such a business, wherein *Charles* the 5. having taken great paines, hath ever beene deluded by the Popes. Besides, the disease of *France* is so sharp, that there is no time to call a Physician from farre. Therefore they were to call a Nationall Councel, as had beene used from the time of *Clodoue* untill *Charles* the Great, and afterwards untill *Charles* the seventh, sometimes of the whole Kingdome, and sometimes of part: that now, the disease being urgent, they were to expect no longer, nor to hold any esteeme of the impediments which the Pope did interpose; in the meane while that the Prelats ought to reside, and that the Italians, who have a third part of the Benefices, were not to bee suffered to enjoy the fruits in their absence; to take away all Simony, and ordaine, as was done in the *Anciran* Councell, that almes should not bee given in times of administring the Sacraments; that the Cardinals and Prelats, deputed by *Paul* the third, gave the same counsell, that *Paul* the fourth thought it necessary though afterwards hee gave himselfe to luxury and warre; that if this were not done, there was danger to see the prophecie of *Bernard* verified, *That* Christ *would descend from heaven to whip the Priests out of the Temple, as he had the Merchants,* Then he spake of the remedies for the other maladies of the Kingdome. *Coligni*, when it was his turne to speak, said, that requiring those who gave him the petitions to subscribe them, he was answered, that 5000. men would subscribe, if there were occasion.

Francis of *Guise*, concerning the point of Religion, said, he referred himselfe to the judgement of learned men, but protested that no Councel should have so great authority with him, as to make him decline one jot from the old belief. The Cardinal of *Lorain*, having spoken of other particulars, descending to that of Religion, said, that the petitions presented were most proud, and that to grant the Oratours publike exercise, were to approve their doctrine; that it was a cleere case, that the greater part used Religion for a pretence; and therefore his opinion was, they should be proceeded against with more severity, mitigating the punishment of those who assemble without Armes, onely for Religion, instructing and admonishing them; and to this purpose to cause the Prelats to reside, hoping that by these remedies, all will be provided for, without either Generall or Nationall Councell. The voyces being not uniforme, a Decree was made, the 27. of that moneth, that there should be an assembly of the States at *Meaux*, the tenth of December, and, if the Generall Councell shall not be called suddenly, as the Pope hath made shew, the Bishops shall assemble the thirteenth of January to treat of celebrating a Nationall: in the meane while the punishments for cause of Religion were suspended, except against those who took Armes.

The Decree of this Assembly.

The Pope, enformed of the resolution of the assembly of *Fountainbleau*, wrote

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wrote to Cardinall *Tornon* to hinder the meeting of the Biſhops, and, if he could not returne to *Rome*. And the three and twentieth of September hee called the Ambaſſadours, and told them the neceſſity of the ſudden celebration of a generall Councell, in regard of the determination of the Frenchmen, to call a Nationall; which, though he had given order to Cardinall *Tornon* to hinder, yet he did not hope it could be done. But he ſavv a neceſſity to celebrate the generall Councell, that it might not bee ſaid that the Nationals were called, for want of it. Therefore that hee muſt needs open the Councell of *Trent*, taking away the ſuſpenſion; that the place vvas moſt fit, being betvveene *Germany* and *Italy*, though others propoſe *Spire*, *Triers*, and other places, vvhich he vvould accept if they vvere ſecure, being ready to go to *Conſtantinople*, if he might vvith ſafety; that one could not truſt thoſe vvho vvant faith; that no Catholike could bee ſecure in thoſe places, no not the Emperour himſelfe; that, if they refuſe *Trent*, they may finde places in the Dukedome of *Milan*, the Kingdome of *Naples*, in the State of *Venice*, of the Duke of *Savoy*, or *Florence*. Concerning the revocation of the things already decided, it vvas not to bee mentioned; that hee vvould neither revoke nor confirme them, but referre all to the Councell, vvhich, vvith the aſsiſtance of the holy Spirit, vvill determine vvhatſoever it ſhall pleaſe God. Hee did much ruminate upon the Nationall Councell of *France*, ſaying that *Germany* vvould follovv the example, and that ſome ſtirres vvould bee raiſed in *Italy*, if order vvere not taken; that they vvould ſubmit the Papacie to the Councell, and vvhatſoever belongeth to it. But his reſolution vvas this: *Pro fide & religione volumus mori*: Deſiring the Ambaſſadours to ſpeak their opinion, the Emperours Ambaſſadour ſaid, it vvas better to take time, in regard the Emperours affaires vvould not permit him to conſent. The Pope ſeeming to be angry, the Ambaſſadour added, that it vvas good firſt to vvinne the minds of the Princes of *Germany*. The Pope anſvvered more angerly, that there vvas novv no time to do it; and the Ambaſſadour replying, that hee feared that by this meanes the hereticks vvould be incited againſt *Italy*, the Pope ſaid aloud, that God vvould not abandon his ovvne cauſe, and that he ſhould be aſsiſted by the Catholike Princes, vvith men and money, for his defence. The Spaniſh Ambaſſadour commended the Popes purpoſe, and ſaid that his King vvould not faile to favour him, and that to this end he had already ſent *Antonio di Toledo* into *France*. The Ambaſſadours of *Portugall*, *Venice*, and others offered the favour and aſsiſtance of their Princes, and in the end, the Pope gave them order to ſignifie his intention, and ſo diſmiſſed them.

Cauſeth the Pope to make ſhew that hee is reſolved to call the Councell ſuddenly.

Wherein he is contradicted by the Emperours Ambaſſadour onely.

Aftervvards hee received anſvver from Cardinall *Tornon*, that, having tried all meanes, he vvas not able to remove the King, nor any of his Councell, nor could hope for any better ſucceſſe hereafter yea, that he ſavv all things to vvax vvorſe. The King of *Spaine*, having ſent to the Pope the finall anſvver given to *Toledo*, vvrote vvithall, that the French King excuſed himſelfe, that vvithout a Nationall Councell, he could not remedy the diſorders of his kingdome, and that it vvas no marvell, if, to vvithſtand inconveniences, Princes do that alone, vvhich they ſhould do together vvith the

Pope

Pope. This letter troubled his Holineſſe thinking hee did inferre that he might doe the ſame alſo himſelfe in *Flanders*. It was afterwards diſcovered that the Popes purpoſe was, if he could not abſolutely avoid the Councell, to deferre it at the leaſt, untill he had ſet in order his domeſticall affaires. For, being to hold a Synod, it was neceſſary to give a good example in the meane ſpace, and ſpend exceſſively in maintaining poore Prelates, and officers, and other things, neceſſary for the Synode, which would conſume all the reveneues; and the buſineſſe it ſelfe alſo would take up all his time, ſo that hee could not take care of his houſe. But he reſolved, though againſt his will, not to deferre the Convocation any longer. Whereupon the twentieth of October he held a Congregation of Cardinals, in which he gave them an account of the anſwere of the French King to *Toledo*, of the King of *Spaine* his letter to him, and of the negotiation of the Cardinall *Tornon*; adding a new advertiſement ſent him out of *France*, that although the generall Councell were opened, they would not goe thither, if the Proteſtants did not conſent to receive it. Theſe things put them in a great confuſion, and all feared, that though the generall Councell ſhould proceed, yet *France* would make the Nationall, whence, by conſequence, an alienation from the obedience of the Apoſtolique Sea would ariſe, and an example to the reſidue of Chriſtendome to doe the like, either with, or without the conſent of their Princes.

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FRANCIS 2

The Popes ſecret purpoſe was to avoid or deferre the Councell.

But maketh a contrary reſolution againſt his will.

And is much troubled with the occurrences of *France*.

Some thought much of the Proteſtation made to the Cardinall of *Trent*, that he ſhould not be too liberall in offering that City, but remember that the Emperour is Lord of it, without whoſe conſent hee neither can, nor ought to diſpoſe of it in ſuch a buſineſſe; who had declared himſelfe already, that, by all meanes he would firſt make a Diet. They were alſo much troubled with that which *D. Antonio di Toledo* wrote, that all the Grandies, yea, the Biſhops themſelves did favour the new opinions, to ſettle and augment their owne eſtates. Notwithſtanding all this, all the Cardinals, except the Cardinall of *Ferrara*, were of opinion to open the Councell, removing the ſuſpenſion. The Pope ſaid the Councell ſhould begin at Saint *Martins* tide; and conſidering the imminet dangers, and the hopes to overcome them, he reſolved himſelfe, and did comfort alſo the Cardinals and his other dependants with it, that the loſſe would be great to *France*, and little to him. For the Apoſtolike Sea receiveth yeerly out of that Kingdome but five and twenty thouſand crownes; but on the other ſide, the Kings authority being great, granted by the Popes, to diſpoſe of Benefices, he would looſe it all, in regard the Popes authority being taken away, the *Pragmatike* would take place, and the Biſhops would be elected by the Canons, the Abbats by the Monaſteries, and the King bereaved of all this. Therefore he was ſorry for nothing but for the loſſe of ſo many ſoules. But if GOD would correct them for their faults and infidelity, he could not helpe it.

His comfort is, that the loſſe will be greater to the French King then to the Apoſtolike Sea.

In the beginning of November letters came to *Rome* from the Emperour, in which he ſaid, though in generall termes, that, concerning the Councell, he would doe, for his owne perſon, whatſoever the Pope pleaſed; but added, that, to hold a Councell out of *Germany*, or to continue that of *Trent*, by taking away the ſuſpenſion, would do no good, but raiſe a greater hatred

The Emperor writeth to the Pope againſt the continuation of the old Councell, and alſo the convocation of a new.

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in the Protestants, with danger that they would endeavour to hinder it with Armes; in which kinde he had heard of divers treaties: but, making a new Councell, there was hope to perswade them to goe thither. This caused variety of opinions amongst the Cardinals, it being plaine, that, if there were not a continuation of the Councell of *Trent*, all the things already determined would be vaine and void, having never beene confirmed by any Pope. This was proposed in Congregation by his Holinesse, whereof they consulted and spake much, without giving of voyces; which being demanded in another Congregation, *Carpi* shewed at large, that it was necessary to continue the Councell, remooving the suspension only, and was followed by *Cesis* and *Pisano*. But the Cardinall of *Trent*, who was next, said, that in a matter where they were to treat *de summa rerum*, full of so many difficulties, it was better to thinke a little more on it. And this opinion was followed by all the other Cardinals. And, fitly, the next evening a Currier came in haste, to *Rome* out of *France*, with Protestations from the King, that, if the generall Councell were not called, he could no longer deferre the Nationall: and that they were not to thinke of *Trent*, or any place in *Italy*, in regard the Councell having been desired so many yeeres for the necessities of *Germany*, and now the danger of *France* being added, it was meete to hold it in a convenient place for both the Nations: otherwise it would be in vaine, if the Germans and French-men went not thither; adding, that if any place in *France* were chosen, it should be most secure. In the end the Pope thought not fit to delay it any more; but the fifteenth of November resolved in the Consistory to make, the next Sunday, a Procession, in sackecloth and ashes, giving a Jubelie, and singing the Masse of the holy Ghost, for the determination made to celebrate the Councell of *Trent*; concluding that if, after it was assembled, it seemed commodious to translate it to another place, he would doe it, and goe himselfe also in person, so that it were secure. He added, that he could find Armes to use, if any went about to infringe the things determined, and began to consider of the tenor of the Bull. Every day a Congregation was held, to resolve whether they should plainely declare the continuation, taking away the suspension (as he desired) that the things determined might not be disputed on againe, or examined. The Imperialists, and French men labored much with the Pope and the Deputies, that it might be called a new Councell, that the Dutch and Frenchmen might go thither, saying, they might resolve in it, that the things already handled might not be handled againe; otherwise it were in vaine to speake of a Councell to reduce the Protestants, giving them occasion at the first to refuse it, and to say they could not submit themselves to those who have condemned them before they were heard. On the contrary, the Spaniards and Duke of *Florence*, who was then in *Rome*, laboured that the suspension only might be removed, and a continuation declared. The Pope and deputies tooke a middle way, hoping both parties would be satisfied. A Jubelie was published and sent into all places, and the 24 day the Pope, with the Colledge of Cardinals, & all the Court, went on foot, with a solemne Procession, from S. *Peters* Church to *Minerva*; in which there was great cōfusion. For the Ambassadors who were wont to go before the Crosse, perceiving that the BB. did follow, and after them the Duke of *Florence*

Wherein the Cardinals are divided in opinion.

The protestation of the French King sent to *Rome*.

A Procession and Iubile for the determination to celebrate the Councell.

A great question in *Rome* whether the continuation should plainely be declared.

rence between 2 minor Cardinals, they would have that place also. Whereupon there arose a disorder, for composing whereof, after some contestation, the Pope gave them place between himselfe and the Cardinals who went before him. The 29 day the Convocation of the Councell was published in the Consistory, the Bull whereof was intitled, of the *Intimation* of the Councel of *Trent*, the Latin word was *Indictionis*. And it was so printed in many places; though afterwards when the whole body of the Councell was printed, the word, *Celebrationis*, was used. The tenor of the Bull was; 1560

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The Bull of the intimation of the Councell.

That the Pope, from the beginning of his assumption, did apply his mind to the rooting out of heresies, extinction of divisions, and amendment of manners; for remedy whereof he resolved to celebrate a generall Councell, that *Paul* the third, and *Julius* had assembled it before, but could not finish it; and relating all the occurrences under those Popes, ascribeth the successe to divers impediments, promoted by the enemy of mankinde, at the least, to deferre so great a benefit of the Church, which hee could not absolutely hinder; saying, that in the meane while the heresies and divisions were multiplied. But it having pleased GOD to give peace to Christian Kings and Princes, he conceived hope to put an end to the evils of the Church, by means of the Councell, which hee would not deferre any longer, that hee might take away schisme, and heresies, reforme manners, and preserve peace amongst Christians. Therefore, by the counsell of the Cardinals, and advice of *Ferdinand*, Emperour elected, and other Kings and Princes, whom hee hath found already to helpe forward the celebration, by the authority of GOD, and of the holy Apostles *Peter* and *Paul*, he doth intimate a generall Councell, in the City of *Trent*, to begin at Easter, remooving all suspension whatsoever, exhorting, and commanding, under the Canonicall punishments, all Patriarkes, Arch-bishops, Bishops, Abbats, and others, who have a deciding voyce by law, priviledge, or ancient custome, not being lawfully hindered, to be there before that day; admonishing those also in the same manner, who have, or may have any interest there; praying the Emperour, Kings, and Princes, to send their Proctors, if they cannot be personally present, and to cause their Prelates to performe their duty without excuse or delay, and to make the passage free and secure, for them and their company, as himselfe will doe within his Territories, having no other end in celebrating the Councell, but the honour of GOD, the reducing of the dispersed sheepe, and the perpetuall peace of Christendome; ordaining that the Bull should be published in *Rome*: and that by vertue thereof after the end of two moneths, it shall binde all that are comprehended, as if it had been personally intimated unto them.

Did not please either party.

The Pope thought he had satisfied himselfe, those who would have a new Councell intimated, and those who desired a continuation of the old. But as middle counsels doe usually displease both parties, so the Pope gave satisfaction to none, as shall be declared. Presently after the publication of the Bull, the Pope sent *Nicheto* into *France* with it, with commission, if the forme did not please, to say, that they should not except against the word *Continuare*, because it did not hinder them to speake againe of the things already proposed. He sent it also to the Emperour, and King of *Spaine*. He

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ſent likewiſe *Zacharias Delphinus*, Biſhop of *Lieſina*, to the Princes of high *Germany*, and *Joannes Franciſcus Comendone*, Biſhop of *Zante*, to thoſe of Low *Germany*, with letters to them all, and with order, firſt to receive inſtruction from the Emperour how to treat with them, and then to execute their ambaſſage. He ſent alſo the Abbat *Martinengo* to the Queen of *England*, to invite her and her Biſhops to the Councell, being perſwaded ſo to doe by the forenamed *Edward Cerne*, who promiſed him that his *Nuncio* ſhould be received by one halfe of the Kingdome, by the Queenes conſent. And although the Pope was put in mind to ſend *Nuncii* into *England*, and to Princes elſewhere, who do profeſſe open ſeparation from the Sea of *Rome*, would be a diſreputation to him, yet he anſwered he would humble himſelfe to hereſie, in regard whatſoever was done to gaine ſouls to Christ, did beſeem that Sea. For the ſame reaſon alſo he ſent *Canobius* into *Polonia*, with deſigne to make him to goe into *Moſcovia*, to invite that Prince and Nation to the Councell, though they have never acknowledged the Pope of *Rome*.

The Queene of *England* is invited to the Councell.

Afterwards he returned to ſpeake of the Councell in Conſiſtory, deſiring to be informed of the learned men, of good life and opinion, of divers Provinces, fit to diſpute and perſwade the truth, ſaying he purpoſed to call many of them; promiſing that, after he had uſed all poſſible diligence to make all Chriſtians come thither, and to unite them in Religion, though ſome or many, refuſed to come, he would not forbeare to proceed. Yet he was troubled, becauſe the Proteſtants of *Germany*, unto whom a great part of *France* was united, would deny to come, or would demand exorbitant things, which he could not grant them, and doubted they might be able to diſturbe the Councell with Armes. Neither did he hope to be aſſiſted by the Emperour againſt them, in regard of his ſmall forces. He confeſſed that the dangers were great, and the remedies ſmall, and was perplexed and troubled in mind. The Bull of the Councell going through *Germany*, fell into Proteſtants hands, aſſembled at the mariage of the Duke of *Salzemburg*, who did intimate a Diet in *Namburg*, to begin the twentieth of January.

Vergerius writeth a booke againſt the Bull.

Vergerius wrote a booke againſt this Bull, in which, after a great invective againſt the pompe, luxury, and ambition of the Court, he ſaid, that the Councell was called by the Pope, not to eſtabliſh the doctrine of Christ, but the ſervitude and oppreſſion of poore ſoules; that none were called, but thoſe who were bound by oath to the Pope, ſo that not only all were excluded who are ſeparated from the Church of *Rome*, but alſo men of the greateſt underſtanding amongſt themſelves, taking away all liberty, in which onely there was hope of agreement.

The Prince of *Condé* is impriſoned, and a guard is ſet upon the King of *Navarre*.

At this time newes came to *Rome*, that the French King had impriſoned the Prince of *Condé*, and ſet a guard upon the King of *Navarre*; which pleaſed the Pope much, as a thing which might wholly diſturbe the Nationall Councell. And his hope was the ſtronger that he ſhould receive no diſtaſte, becauſe advice came that the King was very ſick, and in danger to die, which hindred the aſſembly of the States in *Meaux*. And, in the end, there was great alteration. For *Francis*, the French King, dying the fift of December, and *Charles* the ninth, of the age of ten yeeres, ſucceeding, in regard of his minority, the government fell principally upon the King of *Navar*; as firſt Prince

The French King dieth, and *Charles* the 9 ſucceedeth.

of

of the *Blood*. The Queen mother adhered to him, to maintaine and continue the authority which she had taken in the life time of her other sonne; and *Navar* was content to participate with her, the better to maintain his owne. He did almost openly favour the new religion, and was wholly governed by the counsell of *Jasper Coligni*, the Admirall, who did make profession of it; so that the Protestants were more confident to obtaine liberty of religion, as they desired. They assembled almost publikely, with much discontent and indignation of the people, and danger of sedition. Hereupon the Kings mother, and the chiefe of the Counsell resolved to hold the States in *Orliens*, and began to doe it the 13 of December. 1561.

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The King of *Navar* and Q. mother govern *France*.

Which maketh the Protestants more confident

Amongst other things, there proposed for the benefit of the Kingdome, the Chancellor said, that religion is the most potent weapon, overcommeth all affections, and charity, and is the surest bond of humane society; that Kingdomes are more bounded and more divided by religion, than by the confines themselves; that he that is moved with Religion, contemneth wife, children, and kindred. If there be difference of religion in the same family, the father agreeth not with his sonnes, nor the brothers among themselves, nor the husband with the wife. To remedy these disorders, there is neede of a Councell, which the Pope hath promised: but in the meane while, it is not to be tolerated, that every one should shape out his owne religion, and bring in new Rites at his pleasure, and so trouble the publike peace. If the Councell faile by the Popes default, the King will make provision another way: but it was necessary that every one should amend himselfe, because a good life is a vehement orator to perswade; that the names of Lutherans, Hugonots and Papists, no lesse factious than those of the *Guelphes* and *Ghibilines*, were to be taken away, and Armes to be taken against those who cover their avarice, ambition, and desire of innovation, with the cloake of religion. *John Angelo*, advocate in the Parliament of *Bourdeaux*, spake for the third Order: he spake much against the bad manners, and discipline of the Clergy, noting their ignorance, avarice, and luxury, as causes of all the evils, and did much discourse upon them: in the end, he demanded that all might be redressed by a sudden celebration of the Counceil. *James*, Earle of *Rochfort*, spake for the Nobility; who, amongst other things, said that all the evill did arise from the large donations, made by the King and other Grandies, to the Churches, especially of jurisdictions; a thing much inconvenient, that he that ought to give himselfe wholly to prayer and preaching, should exercise power over the lives and goods of the Kings subjects; and that it was necessary to remedy those inconveniences. And, in the end, he gave a petition, demanding in the name of the Nobility, to have publique Churches for their religion. *Jacobus Quintinus* a Burgundian, spake for the Clergie. He said, the States were assembled to provide for the necessities of the Kingdome, not to amend the Church, which cannot erre, which is without blemish or wrinkle, and will alwayes remaine without corruption, though the discipline, in some small part, may need reformation. Therefore those are not to be hearkened unto, who renewing the Sects, long since buried, demand Churches apart from the Catholiques, but are to be punished as heretiques, and doe not deserve that the King should heare them, who ought to force all

The States are held in *Orliens*. Where the Chancellor beginneth to

John Angelo speaketh for the third Order.

James Earle of *Rochfort*, speaketh for the Nobility.

Jacobus Quintinus speaketh for the Clergy.

1561 his Subjects, to beleeve and live according to the forme prescribed by the Church; that those who have forsaken the Kingdome for Religion, ought not to be suffered to returne; that those that are infected with heresie, ought to be proceeded against capitally; that the Ecclesiasticall discipline will easily be reformed, if the Clergy be freed from paiment of Tenths, and elections restored to the Chapters, it being observed, that in the yeere 1517, when by the *Concordate*, the nominations of Ecclesiasticall dignities was given to the King, the heresies of *Luther* began, who was followed by *Zuinglius* and others. In the end, he demanded that all immunities and priviledges of the Clergie should be confirmed, and all grievances remooved.

Pius 4. Ferdinand. Elizabeth. Charles 9.

The opinions of *Luther* began when the *Concordate* was made.

The King ordained that the Prelates should put themselves in order to go to the Councell, which was intimated at *Trent*; commanded that all that were in prison for religion, should be set at liberty, their Processes made void, their offences, committed untill that time, pardoned, and their goods restored. He constituted a capitall punishment, for those who gave offence for matter of religion, either in words or deeds. He admonished all to follow the rites used in the Church, without making any innovation. The residue was deferred untill May next, when the petition presented by *Rochfort*, was to be considered of.

The ordinatiõs of the King.

The Pope, understanding of the death of King *Francis*, together with the advice of the Cardinall *Tornon*, that the Queen was joyned with *Navar*, was troubled in mind, fearing the raines would be more given to the Protestants. Therefore he sent *Lorenzo Lentio*, Bishop of *Fermo*, and caused the King of *Spaine* to send *Jo. Manriques*, to condole with the Queen, for the death of her sonne, and to pray her to be carefull of the Religion in which she was borne and bred; to remember the great benefits received from the Apostolike Sea, by the meanes of *Clement*, and not to suffer schisme to arise, by too much licence, nor to seeke remedies elsewhere for the evils present and imminent, but from the Church of *Rome*; for which end the Councell was intimated; that in the meane space, she would take care that the Kingdome should not swerve from true piety, and that no prejudice should be done to the Councell intimated.

The Pope sendeth a *Nuncio* to the Q. mother and the K. of *Spaine* an Ambassador.

1561. The yeere 1560 ended thus, leaving some seedes, from whence greater troubles did spring. The next yeere *Manriques* came into *France*, and delivered his Ambassage: Who having received from the Queene a pious and favourable answere concerning religion and the Councell, and speaking againe of the same subject, as occasion was offered, did continually exhort her to proceed with punishments against the Hugonots, adding threats also to his exhortations. *Navarre*, contrary to all the Spanish designes, did oppose, in regard of his pretensions to the Kingdome of *Navarre*. *Manriques* did combine with the house of *Guise*, and others who had the same designe, to make him favour the Catholikes, the Pope, and the Councell, to propose unto him the patronage of the Catholique Religion in *France*, and that he would be divorced from his wife, *Joan Alibert*, Queene of *Navarre*, by inheritance, and would retaine right to the Kingdome by the Popes authority, of which shee should be deprived for heresie by his Holinesse, and would take to wife *Mary* Queene of Scots, by whom he should have the

The negotiatiõ of the Spanish Ambassador.

the Kingdome of *England*, *Elizabeth* being deprived by the Pope. For effecting all this, the Guiserds promised him the Popes authority, and the forces of the King of *Spaine*, who, for *Navarre*, would give him the Kingdome of *Sardinia*. These things they continually represented unto him in divers formes, even untill his death. 1561

PIUS 4. FERDINAND. ELIZABETH. CHARLES 9.

In *Germany*, the Princes of the *Augustan Confession*, assembled in *Neumburg* especially in regard of the Councell, being ashamed that their religion should be esteemed a confusion for the variety of doctrines amongst them; did propose that they might first agree in one, and then resolve whether they ought to refuse or accept the Synode. Concerning the first point, many said, that the difference was not essentiall, and that the Papists did more substantially differ, dissenting even in the very foundations of Religion. They said the *Augustan Confession* was to be the ground of their doctrine; and if they differed in any point not contained therein, it would be of small importance. But there being divers Copies of that *Confession*, which differed in regard of divers additions made in divers of them, some approoving one, and some another, many thought they ought to take that only which was presented to *Charles* in the yeere 1530. Whereunto those of the *Palatinate* did not consent, except it were declared, in a Proheme made unto it, that the other edition did agree with it. The Duke of *Saxony* answered, they could not stop the eyes and eares of the world, that they should not see and heare their differences, and that, if they would make shew of union where they were at varience, they should be convinced of vanity and lying; and, after many contentions, they remained without agreement in that point. For the Councell, some thought fit to refuse it absolutely, and others were of opinion, to send Ambassadours to make offer that they would go to a free and Christian Councell, and to propose the exceptions, of the suspicion of the Judges, of the inconveniency of that place, and others, oftentimes proposed, to shew they did not refuse the authority of a lawfull Councell, and that the union of the Church was not hindered by them, but by the ambition of the Court of *Rome*: which would make the Germane Catholiques more favourable to them. And they concluded to make petition to the Emperour in this forme.

The Protestants meet at assembly in *Neumburg* to deliberate concerning the Councell.

The two *Nuncii*, arrived in *Austria* at the same time, found the Emperour at *Vienna*, who gave them counsell to go both immediatly to *Neumburg*, in *Saxony*, where the Protestants were assembled in a Diet, and to treate as modestly with them as was possible, taking care not to exasperate or offend them. For if they went each of them into their owne States, they would be posted from one to another, and would never have any certaine answer, and when they had both performed this office joyntly, they might divide themselves, and go apart to whom they were sent. He put them in mind of the conditions with which the Protestants did formerly condescend to the Councell, that, if mention were made thereof againe, they might be prepared to reply, in the Popes name, what they thought fit. The Emperour sent three Ambassadors of his owne to goe with them to the Assembly, and the King of *Bohemia* did recommend them to the Duke of *Saxony*, that they might goe securely. The Emperours Ambassadours, having had audience

To which place the Popes two *Nuncii* are sent by the Emperor with three Ambassadors of his owne.

at

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at the Diet, exhorted the Princes to assist in the Councell, and to put an end to the calamity of *Germany*. The Princes, after they had consulted together, thanked *Cæsar*, and, concerning the Councell, said they would not refuse it, if the word of God were to be judge, if the BB. were released of their oaths, made to the Pope and the Sea of *Rome*, and if the Protestant Theologues might have decisive voyces. But seeing that the Pope admitteth no Bishops to be in the Councell but such as are sworne unto him, against which they have alwayes protested, they could hardly agree unto it; that they were willing presently to represent so much to the Emperour with all respect, deferring their absolute answere untill the Princes, then absent, were informed. Afterwards the Popes *Nuncij* were brought in; who, having commended the Popes piety and Religion, in reviving the Councell, to extirpate Sects, in regard there are as many Religions and Gospels, as there are Doctors, said, he had sent to invite them, to help forward so laudable an enterprise, promising that all should be handled with Christian charity, and that their voyces shall be free. They presented also the Popes *Brieves*, written to each of them. The next day all the *Brieves*, sealed as before, were sent backe, and the *Nuncij* called to receive an answere; which was to this effect: That they did not acknowledge any authority of the Bishop of *Rome*; that there was no cause to reveale their pleasure concerning the Councell to him, who had no power either to call or hold it; that they had delivered their minde and determination to the Emperour, their Lord; that to the *Nuncij*, who were nobly descended, in a Common-wealth which they loved, they offered all good office, and would doe more if they had not come from the Pope. Thus they did end the assembly, and did intimate another, to begin in Aprill to finish the treaty of uniting themselves together.

The Protestants answer to the Emperors Ambassador.

And to the Popes Nuncii.

The Protestants do intimate another assembly to begin in April.

The negotiatiõ of Delphinus

The *Nuncio Delphinus*, delivered his Ambassage in divers Cities as he returned. The Senate of *Noremberg* answered, that they would not forsake the *Augustan Confession*, not accept of the Councell, as not having the conditions required by the Protestants. The Senates of *Argentine*, *Francfort*, *Ausburg*, and *Ulma*, answered in the same manner. *Comendone* parting from the Diet, went to *Lubec*, from whence he sent to *Frederic*, King of *Denmarke*, to demand his Safe conduct to come to him, to deliver to him the Popes Ambassage, and, invite him to favour the Councell. He answered, that neither Christian, his father, nor himselfe had ever any thing to doe with the Pope, and therefore he cared not to receive any Ambassage from him. Both the *Nuncij* had a favourable answer from the Prelates, Princes, and Cities Catholike, with promise of devotion to the Pope; but, concerning the Councell, they said they were to treat with the Emperour, it being necessary to consult together, for feare of the Lutherans. *Jerolamus Martinengo*, sent to the Queene of *England* for the same cause, being in *Flanders*, received commandement from her not to passe the Sea; and although the King of *Spaine* and Duke of *Alva* did make earnest entreaty that he might be admitted, and heard, commending the cause of that Legation, that is, the union of all the Christian Church in a generall Councell, yet the Queen did persevere in her first resolution, answering that she could not treat with the Bishop of *Rome*, whose authority was excluded out of *England*, by consent of Parliament.

Of Comendon.

Of Martinengo.

Canobius,

Canobius, when he had delivered his Ambaſſage to the King of *Polonia*, by whom he was well received, could not goe into *Muſcovia*, by reaſon of the warre betweene that Prince and the King. But going into *Pruſſia*, he was anſwered by that Duke, that he was of the *Auguſtan Confeſſion*, and could not conſent to a Popiſh Councell. The *Suiſſes*, aſſembled in a Diet at *Bada*, heard the Popes *Nuncio*, and, receiving the Brieſe, one of the Burgomaſters of *Zuric* did kiſſe it. The Pope, advertiſed hereof, could not chooſe but tell it to all the Ambaſſadours reſiding with him, with much joy. But, having conſulted of the buſineſſe concerning the Councell, the Catholiques anſwered, that they would ſend thither, and the Evangeliques that they would not accept of it.

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Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
And of Cmdi-
um.
The Pope re-
joyceth that
his Bull was
kiſſed by a
Burgomaſter
of Zuric.

The negotiation of the *Nuncii* in *Neumburg* being publiſhed in *Rome*, there was a whiſpering againſt the Pope, for ſending Miniſters to the Diet of the Proteſtants: wherein he excuſed himſelfe, that it was not by his order, but by the Emperours, to whoſe direction he did deferre the *Nuncii*; for which he did not blame him, in regard hee did not care for nice points of honour, but onely for doing of good. The Emperour, having conſulted with his Divines concerning the Bull of the Councell, wrote to the Pope, that as *Ferdinand*, hee could totally adhere to the will of his Holineſſe, and bee content with any forme of the Bull, and endeavour that all *Germanie* ſhould ſubmit themſelves to him; but as Emperour he could ſay nothing, untill he was informed what was done by the *Nuncii*, and his Ambaſſadors, who went to the Diet of the Proteſtants in *Neumburg*. He was almoſt ſecure, that if the Pope had not declared, that the convocation of the Councell was not a continuation, but a new *Indiction*, or that the points already decided might be reviewed, and handled againe, the Bull would have beene accepted. The French King wrote to his Ambaſſadour in *Rome* the laſt of January, that there were ſome things to be reformed in the Bull before hee could receive it. For although the word *Indictio*, was uſed in the title, yet in the body of it there were words which did ſignifie the remooving of the ſuſpenſions of the Councell already begun, which *Germany* ſuſpecting, would undoubtedly require an interpretation of them: which would draw the Councell in length, and not giving the Emperour ſatisfaction, and them, would cauſe ſo many diviſions in Chriſtendome, and ſo many difficulties, that it would be a Councell in ſhew only, without fruit or profit. That, for his part he was pleaſed that *Trent* ſhould be the place, nor made any difference whether it were a new *Indiction*, or a continuation, in regard his Holineſſe was willing, as hee was told by *Nicheto*, that the determinations already made may be diſputed, and examined againe: wherein, as the reall performance would give ſatisfaction to all, ſo to take away fear, and ſecure every one, it was neceſſary to declare ſo much before hand, taking care to ſatisfie the Emperour by all meanes, without whom no good ſucceſſe of the Councell could be hoped for. Hee ſaid, that if all this were not performed, he would, as the purpoſe of his brother was, call a Nationall Councell, which was the onely remedy for the neceſſities of his Kingdome. He gave order to his Ambaſſadour alſo to complaine to his Holineſſe, that his brother having procured with ſuch earneſt entreaty, the opening of the Councell, yet

The Emperour
excepteth a-
gainſt the Bull
of the Coun-
cell.

And ſo both
the French
King.

no

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no honourable mention was particularly made of him in the Bull; the reason whereof every one knew to be, because he would not name the French King immediatly after the Emperour. Notwithstanding all these respects, the King, to promote the busines of religion, wrote at the same time to the Prelates of his Kingdome, to prepare themselves to goe to the Councell, and to be there at the time of the Convocation: of which letter he sent a copy to *Rome*.

To whom the Pope answereth.

The Pope was advertised by his *Nuncio*, that the King spake against the Bull, by instigation of the Cardinall of *Loraine*; and, after hee heard the Ambassadours proposition, he answered, That he marvailed that the King, who doth not acknowledge any superiour, would subject himselfe to the discretion of another Prince, and not referre himselfe to the Vicar of Christ, to whom it belongeth to moderate whatsoever doeth concerne Religion; saying, that his Bull was approoved by all others, and had no neede of reformation, and that he was resolved it should stand as it did. That, for naming the French King, he had not thought of it, and that the Cardinals, to whom the composition of it was committed, thought it sufficient to name the Emperour and all Kings in generall; otherwise, naming one in particular, it would have beene necessary to have done the like in all the rest; that himselfe tooke care only of the substance of the Bull, leaving all the rest to the Cardinals. This answer did not satisfie the Frenchmen, who thought their preeminence was not to be passed over in generall termes, in regard as well of their greatnesse, as of their merits towards the Apostolique Sea. In the end the Pope gave them contentment, saying, he could not have his eye upon all things, but would be carefull not to commit any errour hereafter. Yet he made no great account of that Kingdome, seeing that, without any respect of his authority, they intermedled in things properly belonging to him: as in pardoning heretiques, and ordering things Ecclesiasticall, though reserved to himselfe. For the States assembled at *Orleance* in January, did ordaine that the Bishops should be elected by the Clergie, with the assistance of the Judges of the King, twelve of the Nobility, and as many of the people; that no money should be sent to *Rome* for *Annats*; that all Bishops and Curates should reside personally, upon paine of loosing the fruits of their Benefices; that in every Cathedrall Church a Prebend should be reserved for a Reader in Divinity, and another for a Schoolemaster; that all Abbats, Abbesses, Priors, and Prioresses should be subject to the Bishops, notwithstanding any exemption; that nothing should bee exacted for administring the Sacraments, for Burials, or other publique functions; that Prelates should not use censures, but for publique faults and scandals; that women should not make profession to be of any religious order, before the age of twenty yeeres; nor men before the age of five and twenty, untill which time they might dispose of their goods to whom they pleased, except to the Monastery; that the Ecclesiastiques should not receive Legacies, or any thing left unto them or given them by last will. And other things also were ordained, for better reformation of the Church, and of the Clergie; which though they were not then published, yet the *Nuncio* sent them to the Pope, and those that governed *France*, thought it sufficient to give satisfaction in shew only, to those

The Pope doth not esteeme *France*.

thoſe that required a reformation, not caring that any thing ſhould be executed 1560

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But, on the contrary, the Kings Divines in *Spaine* did not approove the Bull, becauſe it did not plainely ſay, it was a continuation of the Councell already begun, yea, they thought, though the affectation of ambiguity were manifeſt, that it was plainely a new intimation, and ſome of them held, that it might be drawne from the words of a cleare conſequence, that the determinations made already in *Trent*, might be reexamined; which they ſaid was dangerous, would embolden the Proteſtants, and might cauſe a new diviſion amongſt the Catholiques. The King would not publiſh or receive the Bull, upon pretence that the words were ambiguous, and that it ought to be expreſſed plainely, that it was a continuation of the Councell, and that the things already determined might not bee call d into queſtion: but the true cauſe was, for that the King of *Navarre*, having ſent the Biſhop of *Cominges* to tender his obedience to the Pope, according to the cuſtome, he received him in the Kings Hall, and as Ambaſſadour of the King of *Navarre*, thinking it prejudiciall to his poſſeſſion of that Kingdome, to which he had no title but by the excommunication of *Julius* the ſecond, and becauſe he gave audience to *Monſieur de Cars*, who came to intreat him in the ſame Kings name, to be a meanes that the Kingdome might be reſtored to him, or ſatisfaction given him, and had promiſed his paines herein. The Pope ſent the Biſhop of *Terracina*, expreſly, into *Spaine*, to juſtifie and excuſe what hee had done in favour of the King of *Navarre*, and to expound as it were by occaſion, the meaning of the Bull. To thoſe that were afraid, in regard of the contrary opinions of ſo great Princes, hee anſwered, that as a loving Father, he had invited all, but that he eſteemed the Proteſtants as loſt, and that the Catholiques of *Germany* could not adhere to the Councell without making a ſeparation from the others, and raiſing a warre: and if any Catholique Prince would forſake him, he would proceede by his owne authority, as did *Julius* the third, without the French King. But he told his inward friends, that he accounted all theſe troubles to be indifferent, in regard, not knowing the iſſue of them, he might as well hope for a good ſucceſſe, as feare a bad. In the meane ſpace he he ſaw that he received ſome benefit by this uncertaine Councell, becauſe it ſerved him as a bridle for Prince and Prelate, in attempting any novity, and for a colour to deny unpleaſing ſuits, ſaying that the Councell being opened, he ought to proceed warily, and with reſpect, and not to be prodigall in beſtowing graces and favours: and when any great difficulty did ariſe, hee did referre it to the Councell. Onely he was afraid that the bad affections of the Proteſtants towards the Church of *Rome*, might cauſe ſome excurſion into *Italy*, which would be derived wholly upon himſelfe; and hee ſaw an overture thereof by a difference of precedence betweene the Dukes of *Florence* and *Ferrara*, who deſcended to uncivill tearmes. *Coſmo* Duke of *Florence*, ſaid hee held the place of the Florentine Republike, which was ever preferred before the Dukes of *Ferrara*. *Alfonſo*, Duke of *Ferrara*, pretended that the Dukedome had continued in the houſe of his progenitors for many ſucceſſions, whereas *Coſmo* was the firſt Duke of *Florence*, whoſe precedency could not be maintained

The K of Spaine excepteth againſt the Bull.

And is angry with the Pope for receiving the Ambaſſador of the King of *Navarre* in the Kings hall.

For which two cauſes the Pope ſendeth a *Nuncio* into *Spaine*.

The uncertainty of the Councell did ſtand the Pope in ſome ſtead.

A difference about precedence between the Dukes of *Florence* and of *Ferrara*.

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tained by the right of the Republique, because it was no more in being. This Duke was favoured by *Francis*, as cousin to *Henry* the second, and brother in law to those of the house of *Guise*. The other grounded himselfe upon a sentence of *Charles* the fifth, in his favour. *Alfonso* made instance in *Germanie*, that the Emperour, with the Electors, would be judge of it in a Diet. The Pope thought it dangerous that the Diet of *Germany* should give sentence concerning *Italy*, which did by consequence import an execution, and danger of Armes. For remedy whereof, he wrote to both the Dukes, that it belonged only to the Apostolique Sea, and Vicar of CHRIST to give sentence in such causes, commanding them both to shew him their proofes, and to expect his determination. And to be prepared for all events, hee resolved to fortifie the Castle of *Rome*, and the City of *Leonina*, commonly called *Borgo*, and other places in his State, as he thought convenient, and imposed a taxe, of three *Julii*, upon every measure of a corne called a *Rubie*, throughout his whole Territory. And not to give cause of jealousie to Princes, he called the Ambassadours of the Emperour, *Spaine*, *Portugal*, and *Venice*, to whom he imparted his determination, and his reasons, commanding them to advertise their Princes of it: and said, that the Subsidie layd upon his Subjects would be but small, lesse than that which was imposed by *Paul* 4, when he commanded the celebration of the Chaire of Saint *Peter*; because by his imposition, the poor man paid but three *Julii* a yeere, but by the Feast of *Paul* 4 did lose five, and that dayes worke.

The Pope appointeth Presidents for the Councell.

The time prefixed to begin the Councell approaching, the Pope, not to faile in any thing that was to be performed by him, deputed Legate to preside *Hercules Gonzaga*, Cardinall of *Mantua*, a man eminent, in regard of the greatnesse of his house, of his brother *Ferandus*, and of his owne vertue. He used the Emperour to perswade him to accept, and was confident of his worth and dexterity. To whom he joyned *Jacobus Puteus*, of *Nizza*, an excellent Lawyer, who was exercised a long time, first in the *Rota*, and then in the *Signature*; saying that he purposed to make three more, and that, if hee could not finde able men in the Colledge, he would create new Cardinals, Divines, and Lawyers, men of honesty, for this employment. And he called a Congregation of Cardinals and Prelates, to give order for all things necessary for the beginning of the Councell in *Trent*, at the time appointed: and letters came very fitly from the French King; and, in conformity of them, his Ambassadour, *Monsieur* of *Angolesme*, did declare unto him, that he was content with the Councell upon any termes, being desirous to see the effect of it, and that fruit which all Christendome did require. And he sent *Mounsieur de Ramboullet* expressly unto him, to make the same request, and to represent unto him the necessities of *France*, and to tell him of the instance made unto him herein, by the States assembled in *Orliens*; signifying unto him, that, if this remedy were not quickly applyed, he should bee constrained to receive a medicine in his owne Kingdome, by an Assembly of his Prelates, in regard there was no meanes to compose the differences of Religion, but by a free Generall Councell, or, in defect thereof, by a Nationall. The Pope answered that none did desire the Councell more than himselfe, the delay whereof proceeded not from him, but from the divers opi-

The French King accepteth the Bull.

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nions of Princes, for whose satisfaction he had given such a forme to the Bull, as seemed most fit to content them all. They changed their opinion in *France*, because, being in as bad a state as might be, they thought that every mutation made elsewhere would better their condition. 1561 Pius 4. Ferdinand Elizabeth. Charles 9.

Viterbo wrote out of *Spaine* that the King did approove his propositions, and that, after some consultation with his Prelates, was finally resolved to accept the Bull, without making any difficulty, and to send his Prelates as soone as the season was fit for travell, and an honorable Ambassage, to assist in the Councell. He sent advice also that the Prelates of *Portugall* were already parted from their houses, and that the King would send an Ambassadour; but that he had perceived that some of those Prelates had a purpose, that the superiority of the Councell above the Pope should be defined in the Synode, which point they had studied, and caused many Divines to doe the like. The Pope was troubled with this advice, and considered what he might looke for when the Prelates were assembled in the Councell, and did treate altogether, who had such high thoughts before they parted from home, and feared that the King and his Counsell had a finger in it. Yet, as a wise Prince, he considered, that when the Councell was held, not that novity only would be proposed, but many more to the disadvantage of others as well as of himselfe: saying that every weight had his counterpoyse and that of the things that are attempted, not one in a thousand doth take effect.

And so doth the K. of *Spaine*.

The Pope is troubled with the designe of the *Portugal* Divines.

Hee was more attentive to the enterprises of the French-men, as being more imminent, and of persons who are not flegmaticall in resolving, as the Spaniards are. Therefore he imparted to the Ambassadour every advice that came unto him, and told him in divers conferences, that they were not to thinke of Nationall Councels, assemblies, or *Colloquies*, in matter of Religion, because he could not but esteeme them all for schismaticall; that he prayed the King not to use those remedies, which would certainely reduce *France*, not only into a worse condition, but into the worst of all; that the difficulties of *Spaine* being remooved, the Councell should certainly be celebrated, because those which doe continue in *Germany* are not considerable; that the Catholike Princes and Bishops will consent, and perhaps the Duke of *Saxony* also, as he hath made shew, by separating himselfe from the others assembled in *Neumburg*; that he hoped the Emperour would assist personally, if there were neede, as himselfe did promise to doe, if he thought it fit, wherein he would not subject himselfe to the judgement of any but himselfe.

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Easter drawing neere, which time was appointed to begin the Councell, and Cardinall *Puteus* being very sicke, he put in his roome Friar *Jerolamus*, Cardinall *Seripando*, a Divine of much fame, and caused him to depart presently, and to passe by *Mantua*, taking with him the other Legat, and to be at *Trent* at the time appointed. Notwithstanding which commandement they came not thither untill the third feast of the resurrection, & found there nine Bishops who were arrived before them. The Pope was diligent to make the Italian Bishops put themselves in order; and therfore wrote effectuall letters to the Vice-roy of Naples, and to his *Nuncio* there, and caused his Ministers to

One of the Presidents falleth sicke, and another is put in his place.

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The Italian Prelates are not ſo haſty to goe to the Councel as the Pope would have had them

perſwade the Biſhops of the State of *Milan*, to be ready for their journey to the Councell, as ſoone as might be. He deſired alſo the State of *Venice* to ſend the Biſhops of their Territories in *Italy*, of *Candia*, *Dalmatia*, and *Cyprus*, with all poſſible expedition, and to create Ambaſſadors, to aſſiſt in the Councell, in the name of that Republike. The Italian Prelats were not eaſily moved, becauſe they knew the beginning could not be before the conſent of the Emperour did come: which was ſtill prolonged, becauſe the Spaniards and Frenchmen were expected, before whoſe arrivall in *Italy* they thought it ſuperfluous to goe to *Trent*. And many of them, eſpecially the Courtiers, could not beleeve but that the Pope did counterfeit. But the truth was that, being aſſured he could not avoid the Councell, he did deſire to ſee it quickly. He ſaid he knew what inconvenience the prolongation did cauſe, but knew not what the celebration might doe: and thought that the enemies of his owne perſon, and of the Apoſtolike Sea might doe him more hurt in the time of the expectation, than they could doe in the Councell it ſelfe. And being of a reſolute nature, he uſed the Proverbe; It is better to proove the evill once, than alwayes to feare it.

The D. of *Savoy* maketh a compoſition with the *Waldenſes of Montſenis*.

While theſe delayes were uſed, the Duke of *Savoy* made a compoſition with the *Waldenſes* of the Valleys of *Montſenis*. For, having made more than a yeeres tryall to reduce them by puniſhments, and, after they ſtood upon their guard, as hath been ſaid, maintained Souldiers againſt them, for which the Pope did aſſiſt him with money, howſoever they proceeded rather with skirmiſhes, than any ſet warre, becauſe of the craggedneſſe of the Countrey, yet, at the laſt, they came to a formall battaile, in which the Duke had a great overthrow, loſt ſeven thouſand men, and ſlew but fourteene of the enemies: and although he did often repaire his Army, yet he had alwayes the worſe. Therefore conſidering he did nothing but make his Rebels more warlike, conſume his owne Countrey, and ſpend his money, he reſolved to receive them into favour, and made an agreement with them, the fifth of June; in which he pardoned all faults paſt, gave them liberty of conſcience, aſſigned them certaine places, where they might make their Congregations, in other places gave them leave to comfort the ſicke, and do other duties of religion, but not to preach; gave leave to thoſe that were fled to returne again, and reſtitution of goods to thoſe that were baniſhed. It was agreed alſo that the Duke might ſend away which of their Paſtors he pleaſed, and that they might provide themſelves of others; that the Roman Religion might be exerciſed in all places, but no man inforced to profeſſe it. The Pope was much diſtaſted that an Italian Prince, aſſiſted by him, and not ſo potent but that he might ſtill have neede of him, ſhould permit heretikes to live freely in his ſtate: and the example did trouble him above all, becauſe it would be alleadged to him, by greater Princes, when they would permit another religion. He made a bitter complaint hereof in the Conſiſtory, comparing the Miniſters of the Catholike King with that Duke, who having, at the ſame time, diſcovered three thouſand Lutherans, who went out of *Coſenza*, and retired themſelves to the mountaines, to live according to their doctrine, did hang ſome, burne others, and put the reſt into the Galleys; and he exhorted all the Cardinals to thinke of a remedy. But there was great difference be-

By reaſon of a great overthrow.

Which giveth diſtaſte to the Pope.

tweene

tweene oppreſſing a few diſarmed perſons, farre from helpe, and overcom- 1561
ming a great number of armed men in a place advantagious for them, with potent ſuccours at their ſhoulders. The Duke ſent to juſtifie his cauſe, and the Pope, not able to anſwere his reaſons was pacified. PIUS 4. FERDINAND ELIZABETH. CHARLES 9.

Who was pacified by the Duke.

In France, though the Queene and Prelates did deſire to ſatisfie the Pope, in referring the cauſes of religion to the Councell, yet a congregation of the Prelates was put in order: in which, howſoever the Ambaſſador aſſured the Pope, that nothing ſhould be ſpoken of doctrine, nor any thing prejudiciall to his authority, but only a courſe ſet downe how to pay the Kings debts, to provide againſt ſome abuſes, and to conſult what was to be handled in the generall Councell, yet his Holineſſe was not ſatisfied, yea was of opinion that they thought, that to provide againſt abuſes, was to hinder the profits of the Court, and that to conſult of the Councel, was to joyne with the Spaniards (whereof he had ſome intelligence) in the point of the ſupreame power of the Councell, even over the Pope. And, by reaſon of the diſſentions between the Grandies of the Court, ſpread alſo over all the Provinces, becauſe every one ſought to increaſe his faction, there being a great liberty of ſpeaking, the profeſſors of the new religion were plainely diſcovered, and protected by the greateſt about the King, with much indignation of the Catholiques. Whereupon there were contentions and diſcords throughout the whole Kingdome, calling one another in ſcorne, *Papiſts*, and *Hugonots*, the Preachers making the people tumultuous, and every one having divers ends. He plainly ſaw, that if the Catholike party had not all the ſame aime, ſome great inconvenience would ariſe; for preventing whereof, and to croſſe thoſe deſignes, he thought it neceſſary to have a Miniſter there, a man of authority, and not a French-man, who would have more intereſt in the Kingdome, than in the ſervice of the Apoſtolike Sea; and reſolved to ſend a Legat thither. And caſting his eye upon all the Cardinals, he made choice of *Ferrara* in whom all neceſſary qualities did concurre; ſingular wiſedome, dexterity in negotiations, nobility of birth, being allied to the Royall houſe of *France*, brother in law to the Kings great Aunt, daughter of *Lewis* the 12, and ſo neere a couſin to thoſe of *Guiſe*, (the Dukes wife being the Cardinals neece) that they could not chuſe but favour him, in regard of their neerneſſe in blood. He gave him foure particular Commiſſions, to favour the Catholiques, and oppoſe the Proteſtants; to divert the Nationall Synode, and aſſembly of the Prelates; to ſolicite the going of the Prelates to the Councell; and to cauſe an abrogation of the conſtitutions, made in matters Eccleſiaſticall.

The Pope is offended with the Congregation of the Prelates in *France*.

Into which Kingdome he ſendeth for Legate, the Cardinall of *Ferrara*.

And giveth him foure commiſſions.

While the Legate was preparing to goe, there fell out an accident which made the Kings neereſt friends feare the Catholikes, as much as the Proteſtants. For the fourteenth of July, *Arthurus Deſiderius* was apprehended neere to *Orleans*, who was ſent into *Spaine* with a Supplication, written in the name of the Clergie of *France*, in which they demaunded the aſſiſtance of that King againſt the Proteſtants, becauſe they could not be ſuppreſſed by a boy and a women, with other more ſecret inſtructions in cipher, to be imparted to his Majeſty. This man being impriſoned, and interrogated of the confederates, diſcovered ſome, whom it was dangerous to

A ſupplication ſent out of *France* into *Spaine*.

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make knowne: for which cause they resolved to proceed no further, but condemned him to make honourable satisfaction, to teare the supplication, and to be perpetuall prisoner in the Monastery of the *Carthusians*. But many of his confessions being divulged, the Kings Counsell thought fit to give the other party some satisfaction. Whereupon the King did prohibite the names of *Hugonots* and *Papists*, ordaining that no man, under pretence of discovering the Congregations for religion, which were forbid, should enter with many or few, into another mans house; that those who were in prison for religion should be set at liberty, and that those which fled, since the time of *Francis* the first, might returne and repossesse their goods, in case they would live like Catholikes, or, if they would not, might sell them, and goe to another place. The Parliament of *Paris* did oppose, and said, it was a kinde of grant of liberty of religion, which was never knowne in *France*; that the returne of the fugitives would cause great troubles, and that the liberty to sell their goods, and goe to another place was against the lawes of the Kingdome, which doe not give leave to carry forth any great quantity of money.

The King maketh an ordination in favour of the Protestants.

But notwithstanding all these oppositions, the Edict was executed; so that the Protestants being increased in number, and making more and greater assemblies than they were wont, the King, with the Queen and Princes, went into the Parliamẽt to provide a remedy, by the mature counsel of men skilfull in matters of State and Justice. The Chancellor said, they were not to speake of Religion, but of making provision against daily tumults, which did arise by the meanes of it; lest being made licentious, by raising of stirres, they might lay aside all obedience to the King. There were three opinions. 1. To suspend all punishments against the Protestants, untill the decision of the Councell. 2. That they should be capitally proceeded against. 3. That they should be punished by the Ecclesiasticall Court, forbidding their Congregations, either publike or private, and liberty to preach, or administer the Sacraments, but after the Romane fashion. In conclusion, they tooke a middle course, and made an Edict, which is called the Edict of July. That all should abstaine from doing injuries, and live in peace; that the preachers should not raise tumuls, upon paine of death; that none should preach or administer the Sacraments, but according to the Romane Rite; that the Ecclesiastiques should be judges of heresie; that if the person guilty were delivered to the Secular power, no greater punishment should be inflicted than banishment, and this to continue till a generall or National Councell did determine otherwise; that all those who have moved any tumult, for the cause of religion, should be pardoned, living hereafter in peace, and like Catholiques. Afterwards treating how to accommodate the controversies, it was ordained that the Bishops should meet in *Poisi*, the tenth of August, and that the Protestant Ministers should have a Safe Conduct to come thither. This was contradicted by many of the Catholiques, who thought it strange, dishonourable, and dangerous to put the Religion of their predecessours, received untill that time, to compromise, and in hazard. But they yeelded at the last, because the Cardinall of *Loraine* promised largely that he would confute the heretiques, and take the burden upon himselfe;

The Edict of July.

A *Colloque* is ordained at *Poisi*.

In which the Card. of *Loraine* undertaketh to confute the heretiques.

himſelfe; wherein he was aſſiſted by the Queene, who, knowing his deſire to make oſtentation of his witte, was willing to give him ſatisfaction. 1561

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The Pope had newes at once of theſe two Edicts; in which he found ſome thing to commend, and ſome thing to blame. He commended the Parliament, for maintaining the cauſe of religion, and blamed it, becauſe they had ordered it contrary to the Decretals, not to proceed to any greater cenſure than baniſhment. His concluſion was, that when the malady is greater than the remedy, it ought to be made lighter by patience. But the imminent danger of the aſſembly of the Prelates, eſpecially together with the Proteſtants, he thought was intolerable, and ſaid, he would doe the beſt he could to hinder it; wherein if he ſhould not be able to prevaile, yet he was without fault. Therefore he treated effectually with the Ambaſſador, and with the King, by his *Nuncio*, that, ſeeing the aſſembly could not be omitted, yet at the leaſt the arrivall of the Cardinall of *Ferrara* might be expected, that being made in preſence of an Apoſtolicall Legate, with abſolute authority, it might be lawfull. He wrote alſo to the Prelates, that their power did not extend ſo farre as to make Decrees in matter of Religion, or Eccleſiaſticall diſcipline, and that if they were beyond their bounds, he would not onely make all voyd, but proceed againſt them with all ſeverity. Neither the *Nuncio* nor the Ambaſſadour could prevaile, in regard that not only the Popes adverſaries did oppoſe, but even the Cardinall of *Loraine* himſelfe, with his adherents; and it was told the *Nuncio* in the Kings name, that the Pope might reſt ſecure, becauſe nothing ſhould be reſolved on, but by the opinion of the Cardinals.

The Councell of the French K. determineth that the princes of the Blood ought to precede the Cardinals.

But, for all this, the affaires of the Church did precipitate: and in *Rome* it was thought to be a great fall, that there being a controverſie for precedency betweene the Cardinals and Princes of the Blood, in the Aſſembly of the States continued in *Pontoiſe*, the Kings Counſell did determine it againſt the Cardinals, and the Cardinals *Chaſtillon* and of *Armignac* did yeeld, though *Tornon*, *Loraine*, and *Guiſe* departed, diſdaining and murmuring at their Colleagues. And the Deputy of the third Order, who ſpake againſt the Clergie, was heard with applauſe, objecting to them ignorance, and luxury, demanding that all juriſdiction ſhould be taken from them, and the revenues, and a Nationall Councell held, wherein the King or Princes of the Blood ſhould preſide; and that in the meane time thoſe, who doe not receive the Romiſh ceremonies, might aſſemble, and preach, in the preſence of a publike Miniſter of the King, that it might plainly appeare that nothing is done againſt him.

They treated alſo of applying to the publique a part of the Eccleſiaſticall revenewes, and many other things againſt that order; and the number of thoſe who did favour the Proteſtants, did ſtill increaſe. The Clergie, to free themſelves, were forced to promiſe to pay the King foure tenths yeerly, for ſixe yeeres, and ſo the humours, ſtirred againſt them, were quieted. And, which was the greateſt precipice, the Queen wrote a long letter to the Pope, dated the fourth of Auguſt, ſhewing the imminent dangers for the differences of Religion, and exhorting him to uſe ſome remedy; ſhe ſaid there

The Pope is diſcontented with a Letter ſent to him by the Q. mother.

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were ſo many ſeparated from the Church of *Rome*, that it was impoſſible to reduce them, either by law or force; that many of the Grandies of the Kingdome did draw others by their example; that there beeing none of them who deny the Articles of Faith, nor the ſixe Councels, many did adviſe to receive them into the Communion of the Church; but if this did not pleaſe, and that it ſeemed better to expect a Generall Councell, in the meane ſpace, in regard of the urgent neceſſity and danger of delay, it was neceſſary to uſe ſome particular remedy, by making *Colloquies* of both parties, by admoniſhing them to abſtaine from injuries, contention, and offenſive words, by cleering the mindes of thoſe who were not alienated as yet, taking from the place of adoration the Images, prohibited by GOD, and condemned by S. *Gregory*; by removing from Baptiſme, ſpittle, and exorciſmes, and other things, not inſtituted by the Word of GOD; to reſtore the uſe of the *Cup* in the Communion, and prayers in the vulgar tongue; that the firſt Sunday in every moneth, or more often, the Curates ſhould call thoſe who will communicate, and, ſinging Pſalmes in the vulgar, ſhould, in the ſame alſo, pray for the Prince, and Magiſtrates, for the ſalubrity of the ayre, and fruits of the earth; then, expounding the places of the Evangeliſts, and of S. *Paul*, concerning the *Euchariſt*, they ſhould come to the Communion; that the Feaſt of *Corpus Chriſti* ſhould be taken away, becauſe it is inſtituted only for pompe; that if the *Latine* tongue muſt be uſed in prayers, yet the vulgar ſhould be added, for the benefit of all; that the Popes authority ſhould not be diminiſhed, nor the doctrine changed, in regard it is not juſt to take away the miniſtery, becauſe the Miniſters have erred. It was thought that ſhe wrote theſe things at the perſwaſion of *John Monluc*, Biſhop of *Valence*, with too much French liberty, and they troubled the Pope very much, conſidering the time, full of ſuſpicions, when a Nationall Councell was ſpoken of, and a *Colloquie* intimated in *Poiſi*. Having well conſidered all, he reſolved to diſſemble and not to anſwere, but only that, the Councell drawing neere, whatſoever was thought neceſſary might be there propoſed, with aſſured hope that no reſolution ſhould be made but for the ſervice of GOD, and peace of the Church.

But is comforted by another, received from the Emperor.

Theſe occurrences did confirme the Pope in his opinion, that the Councell was profitable both for himſelfe and the Court, and that it was neceſſary to celebrate it for his defence, againſt the preparations which were and might be made. And he ſhewed tokens of joy, for the letters which came unto him, the 24 of Auguſt, from the Emperour, in which he ſaid that he did abſolutely conſent unto the Councell, and that he did not declare himſelfe untill then, that he might more eaſily winne the Princes of *Germany*; but now, not being able to doe any more, he prayed him to continue his endeavours, in haſtening the celebration. Having called together all the Ambaſſadours of Princes, and moſt of the Cardinals, ſo that it was almoſt a Conſiſtory, he ſhewed the letters to them all, ſaying, it was worthy to be written in letters of gold; that the Councell would be moſt profitable; that it was not to be deferred; that it would be ſo univerſall that the City of *Trent* would not be able to receive it, and that it would be neceſſary to thinke of tranſlating it to a place more large and fertile. His diſcourſe was approved by

by all that ſtood by, though ſome thought it dangerous to name the *tranſlation* in the beginning, in regard that every little ſuſpicion might either hinder or delay the Councell. Others beleeved that this would not diſpleaſe the Pope, and that he caſt forth that word to open a gate where the difficulty might enter. 1561. PIVS 4. FERDINAND. ELI. AUSTR. CHARLES 9.

It being not only reſolved, but generally knowne that none of the Dutch Prelates would come to *Trent*, and a doubt made alſo, in regard of the *Colloquie* inſtituted, that the French-men would treat only amongſt themſelves, and that the Councell would conſiſt of none but *Italians*, except ſome few *Spaniards*, the *Italians* were of opinion, that a few of them would ſerve the turne, ſo that many of them uſed meanes to the Pope to be excepted; who told them plainly, that he was aſſured that all the *Ultramontans* would come, full of hopes to ſubject the Popedome to the Councell, which being the common intereſt of *Italy*, whereby it is preferred before other Nations, they ought to goe all thither for the publike defence; that he would not exempt any, but rather take all hope from them, ſaying, that they might be aſſured thereof, ſeeing how diligent he was in ſending the Legats thither. For, beſides the Cardinall of *Mantua* and *Seripando*, he had ſent *Staniſlaus Oſius*, Cardinall of *Varmia*. The next day, having publiſhed the Emperors letters, he called a generall congregation of all the Cardinals, though it were Sunday. He treated of many particulars concerning the beginning and progreſſe of the Councell, and promiſed to aſſiſt the poore Prelats with money, but upon condition they ſhould goe thither, and allowed them but eight daies to begin their journey. He ſhewed how neceſſary the Councell was, in regard Religion was baniſhed, or endangered in ſome place every day. And he ſpake the truth. For in *Scotland*, in an aſſembly of all the Nobility of the Kingdome, it was conſtituted that there ſhould be no more exerciſe of the *Romane* Catholike Religion.

The *Italians* deſire to be excuſed from going to the Councell, but cannot obtaine leave of the Pope.

The Roman Catholike religion is baniſhed out of Scotland.

In Auguſt the Prelates did aſſemble in *Poiſi*, where they treated of the reformation of the Clergie, without making any concluſion. Afterwards, the Proteſtant Miniſters being come, in number fourteene, who were called, and ſecured by a ſafe conduct, amongſt whom *Peter Martyr*, a *Florentine*, who came from *Zuric*, and *Theodore Beza*, who came from *Geneva*, were the chiefe, they gave a petition to the King which had foure parts. 1. That the Biſhops might not be Judges in that buſineſſe. 2. That the King with his Counſellors would preſide. 3. That the controverſies might be decided by the Word of God. 4. That that which was agreed on, and decreed might be written by Notaries elected by both parties. The Queene would have one of the foure Secretaries of the King to write, and granted that the King ſhould preſide, but ſo, that this ſhould not be committed to writing, alleadging that it was not fit for them, nor profitable for the King, conſidering the preſent times. The Cardinall of *Loraine* deſired the Kings preſence in the publike aſſembly, that it might be more frequent, and adorned, to make oſtentation of his worth, promiſing himſelfe a certaine victory. Many of the Divines perſwaded the Queene not to ſuffer the King to be preſent, that thoſe tender eares might not be envenomed by peſtiferous doctrine. Before the parties were called to the combat, the Prelates made a

The Colloquie of Poiſi in France.

proceſſion,

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processiõ, and did all communicate, except the Cardinall *Chastillon*, and five Bishops. The others protested one to another, that they meant not to handle points of doctrine, nor matters of faith.

In which the King speaketh bitterly.

The second of September they began, in presence of the King, Queene, Princes of the blood, and the Kings Counsellors, together with sixe Cardinals, and forty Bishops. The King, as he was instructed, made an exhortation, that, being assembled to remedy the tumults of the Kingdome, and to correct the things that were amisse, he desired they should not depart, before all differences were composed.

And the Chancellor at large.

The Chancellor spake more at large to the same purpose, in the Kings name, and said particularly, that the disease being urgent, did require a present cure; that the remedy which could be expected from the Councell, besides that it would be slow, would proceed from men, who, being strangers, know not the necessities of *France*, and are bound to follow the Popes will; that the Prelates present, knowing the needs of the Kingdome, and neere in blood, are more fit to execute this good worke; that although the Councell intimated by the Pope were held, yet the like of this hath beene done at other times, and is not without example; that, in the time of *Charles* the great, many Councels were held at once; and that, many times, the error of a generall Councell hath beene corrected by a Nationall, as Arianisme established by the generall Councell of *Arimini*, was condemned in *France*, by a Councell called by S. *Hilary*. He exhorted all to ayme at the same end, and the more learned not to contemne their inferiors, nor these to envy those; to avoid curious questions; not to be averse from the Protestants, who were their brethren, regenerate in the same Baptisme, worshippers of the same CHRIST. He exhorteth the Bishops to treate with them courteously, seeking to reduce them, but without severity, considering that much was attributed to them, in that they were suffered to be Judges in their owne cause: saying, that this did constraine them to proceed with sincerity, and that, in so doing, they should stop the mouth of their adversaries, but, transgressing the office of just Judges, all would be in vaine, and to no purpose. The Cardinall *Tornon* rose up, and, having thanked the King, Queene, and Princes, for the assistance they affoorded to that assembly, said that the Chancellors propositions were of great importance, and not to be handled, or answered upon the sudden, and therefore desired they might be committed to writing, the better to deliberate upon them. The Chancellor did refuse, and the Cardinall of *Loraine* did urge it.

The Q. mother commandeth Beza to begin.

The Queene, perceiving that this was required by the two Cardinals, to draw the businesse in length, gave order to *Beza* to speake: Who, having prayed on his knee, and recited the profession of his faith, complained that they were accounted turbulent, and seditious, perturbers of the publike peace, though they had no other end than the glory of GOD, nor desired to assemble themselves but to serve him, and obey the Magistrates, appointed by him. Then he declared in what they do agree with the Church of *Rome*, and in what they dissent, he spake of faith, good workes, of the authority of Councels, sinnes of Ecclesiasticall discipline, obedience to Magistrates, and of the Sacraments; and entring into the matter of the *Eucharist*, he spake with such heat, that he gave but ill satisfaction to those of his owne party;

Who sheweth too much heat.

so

so that he was commanded to conclude. And having presented the *Confession* of his Churches, and desired it might be examined, he made an end. The Cardinall *Tornon*, full of disdaine, rose up, and said, that the Bishops, even forcing their consciences, had consented to heare these new *Evangelists*, foreseeing they would speak many injurious things against God, and that but for the respect they bare to the King, they would have risen, and disturbed the assembly. Therefore he prayed his Majesty, not to beleeve what they had said, because the Prelates would disproove it, so that he should see the difference betweene the truth and a lye, and demanded a dayes time to answere, requiring that all should be removed from thence, that they might not heare those blasphemies. Wherewith the Queene, thinking her selfe to be touched, answered, that nothing was done but by the advice of the Princes, of the Kings Counsell, and Parliament of *Paris*, not to change or innovate any thing in Religion, but to compose the differences, and to reduce those that wandered into the right way; which the Bishops were bound in wisedome to procure, by all good meanes. 1561. PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. Wherein Cardinall Tornon disdaineth.

The assembly being dissolved, the Bishops and Divines consulted amongst themselves what to doe. Some of them would have had a *Confession* of Faith written, unto which if the Protestants would not subscribe, they should be condemned for heretiques, without any further disputation. Which opinion seemed too hard, after much discourse, they resolved to answere two of the points proposed by *Beza*; that is, of the *Church*, and of the *Eucharist*. The Congregation being assembled againe the sixteenth of the moneth, the Cardinall of *Loraine*, in the presence of the King, Queene, and Princes, made a long Oration, and said; That the King was a member, not head of the Church; that it belonged to his care to defend it, and that, for matter of doctrine, he was subject to the Ecclesiasticall Ministers; that the Church did not containe the elect only, and yet could not erre; that when any particular Church is in an errour, recourse must be had to the Church of *Rome*, Decrees of the generall Councels, consent of the ancient Fathers, and above all, to the Scripture expounded in the sense of the Church; that the heretiques, failing in this, have runne into inextricable errors; as the modernes, for example, in the point of the *Eucharist*, in which, by an incurable itch of curious questions, they have used that which was instituted by Christ for a bond of union, to make an irreconciliable rent in the Church. And then he handled this matter, and concluded, that, if the Protestants will not change their opinion herein, there is no meanes of composition. The Card. of *Loraine* speaketh for the Catholikes.

When he had made an end, all the Bishops stood up, and said they would live and die in that Faith; they prayed the King to persevere in it; adding, that if the Protestants will subscribe to this article, they will not refuse to dispute the rest; but if not, they ought not to have any more audience, but to be chased out of the whole Kingdome. *Beza* asked leave to answer presently; but it seeming not fit to equalize a private Minister, to so great a Prince Cardinall, the assembly was dissolved. The Prelats were willing the *Colloquie* should have beene thus ended; but the Bishop of *Valence* told them it was dishonorable. Therefore the foure and twentieth day it was assembled againe in presence of the Queen and the Princes. *Beza* spake of the Church, and To whom *Beza* was willing to answer; and was not suffered. But speaketh another day

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and of the conditions and authority thereof; of Councels, ſhewing they may erre, and the dignity of the Scripture. *Claudius Eſpenſeus* anſwered, that he had alwayes deſired a *Colloquie* in matter of Religion, and abhorred the puniſhments which the poore unfortunate people endured: but he much marvailed by what authority, and by whom the Proteſtants were called into the Eccleſiaſticall miniſtery, who had laid hands on them to make them ordinary Miniſters, and, if they pretended an extraordinary vacation where were the miracles to demonſtrate it. Then he treated of Traditions. He ſhewed, that there being a controverſie of the ſenſe of the Scriptures, recourſe muſt be had to the Fathers; and that many things are beleeved by Tradition only, as the *Conſubſtantiality* of the Sonne, the baptizing of infants, and the virginity of the mother of Chriſt after his birth. He added, that no generall Councell was ever corrected by an other, in point of doctrine. Divers replies and diſputations paſſed on both ſides, betweene the Divines, who were preſent. And, there being a great contention, the Card. of *Loraine* making a ſilence, propoſed the matter of the *Euchariſt*, and ſaid, that the Biſhops were reſolute not to proceed any further, if that Article were not agreed on; and then demanded of the Miniſters, if they were prepared to ſubſcribe the *Auguſtan Confeſſion* in that Article. *Beza* asked whether he propoſed that in the name of all, and whether himſelfe, and the other Prelates would ſubſcribe to the other points of that *Confeſſion*: and receiving no anſwer either of the one or the other, he demanded, that that which was propoſed to be ſubſcribed unto, ſhould be put in writing, that they might conſult of it; and ſo the *Colloquie* was put off untill the next day.

And is anſwered by Claudius Eſpenſeus.

Beza ſpeaketh againe and provoketh the Biſhops.

In which *Beza*, who began to ſpeake, did much provoke the Biſhops. For having juſtified his vocation to the Miniſtery, he diſcourſed of the vocation and ordination of Biſhops, ſhewing what Simony was committed, and demanding how it could be accounted lawfull. The paſſing to the Article of the *Euchariſt*, and the point of the *Auguſtan Confeſſion* propoſed unto him, he ſaid it ought to be firſt ſubſcribed by thoſe who did propoſe it. The parties not being able to agree, a *Spaniſh Jeſuite*, one of the traine of the Cardinall of *Ferrara*, who was at the *Colloquie*, having reproched the Proteſtants, did reprehend the Queene for medling in matters which belonged not to her, but to the Pope, Cardinals, and Biſhops. This arrogancie troubled the Queenes Patience; but, for the Popes ſake, and the Legats ſhe diſſembled. Finally, not being able to conclude any thing by this manner of parly, it was ordered, that two Biſhops and three Divines, of the moſt moderate, ſhould conferre with five of the Proteſtant Miniſters, to ſee if they could finde out a way to make an agreement. They aſſayed to frame an Article of the *Euchariſt* in generall tearmes, taken out of the Fathers, which might give ſatisfaction to both parties, which becauſe they could not doe, they concluded the *Colloquie*. This did miniſter much matter of diſcourſe. Some ſaid it was a bad example to treat of errours once condemned, and that they ought not ſo much as to heare thoſe who deny the foundations of Religion, which hath continued ſo long, and beene ſo much confirmed, eſpecially in the preſence of ignorant people; and that, although nothing was reſolved againſt the true Religion, it hath made the heretiques bolde, and grieved the Catholiques.

The ſawcineſſe of a *Spaniſh* Ieſuite.

A new courſe is taken.

Which doth as little good as the former.

tholiques. Others said, it would be generally good to handle these controversies often, because the parties would by this meanes become familiar; malice and other bad affections would cease, and many wayes of composition might be found, and that there was no other course to extirpate the evill that had taken such deep root. For the Court being divided under pretence of religion, it was impossible they should be reconciled, except all obstinacy laid aside, they did tolerate one another, and take that cloake out of the hands of unquiet and turbulent people, with which they cover their bad actions. 1561. PIVS 4. FERDINAND. ELIZABETH. CHARLES 9.

The Pope, understanding that the *Colloquie* was dissolved without doing any thing, was very glad, and much commended the Cardinall of *Loraine*, and *Tornon* more. The zeale of the Jesuite pleased him, and said, he might be compared to the ancient Saints, having, without respect of the King and Princes maintained Gods cause, and upbrayded the Queene to her face. On the contrary, he reprehended the Oration of the Chancellor, saying, it was hereticall in many parts, and threatned to call him into the *Inquisition*. The Court also, when it was divulged to them, was distasted with it, and conjectured that all the governours of the Kingdome had the same disposition toward *Rome*; and the French Ambassador had much adoe to defend himselfe. Wherewith the Pope is well pleased. The Chancellor of *France* is blamed in *Rome* together with the whole government of that kingdome.

That which hapned to the Cardinall of *Ferrara* is not to be omitted, as being of affinity to the matter whereof I write. The Prelate was received at the first by the King and Queene with much honor, and having presented the Popes letters of credence, was acknowledged for Legat of the Apostolike Sea, by their Majesties, by the Princes, and Clergie. But the Parliament, having discovered that, amongst his Commissions, one was, to desire a revocation, or moderation, at the least, of the things accorded in the States of *Orleance*, the last of January, concerning the distribution of Benefices, and particularly, the prohibition of paying *Annats* to *Rome*, and sending money out of the Kingdome to obtaine Benefices there, or other favours, did immediatly publish the Decrees, which had not been published untill that time, under the date of the thirteenth of September, that the Cardinall might not obtaine his purpose; and did resolve not to give the Legat leave to use the *Faculties* given him by the Pope. For the custome of that Kingdome is, that a Legat cannot exercise his office, if his *Faculties* be not first presented, and examined in Parliament, and regulated and moderated by a decree thereof, and confirmed in that forme by the Kings Briefe; so that when the Bull of the *Faculties* of the Legation was presented, to be, as they say, approoved, it was refused by the Chancellor and Parliament, alleadging that it was already determined not to use any more dispensations against the rules of the Fathers, nor collation of Benefices against the Canons. But the Cardinall had a greater affront, in that Pasquins were made, and spread, both in the Court and City of *Paris*, concerning the loves of *Lucretia Borgia*, his mother, and Pope *Alexander* the sixt, his Grand-father by the mothers side, with repetition of the obscenities, divulged throughout all *Italy* in the time of that Popedome, which made the Cardinall ridiculous to the people. The entertainment of the C. of *Ferrara* in *France*.

The first thing he undertooke was to hinder the preaching of the Reformatists,

1561 formatists, who after the *Colloquie*, did practise it more freely than before, and used perswasions, and made secret promises to the Ministers. And because he had no credit with them, in regard of his kinred with the house of *Guise*, for which reason also he was held suspected by all the opposites of that family, to gaine reputation, he made acquaintance with the Nobles of the Hugonot faction, and went to their feasts, and sometimes was present at their Sermons in the hrbit of a Gentleman. By all which he gained nothing because many thought he did it as a Legat, by consent of the Pope, and the Court of *Rome* was displeased with his actions.

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His familiarity with the *Hugonots*.

Displeaseth the Court of *Rome*.

The Q. mother sendeth an Ambassador into *Spaine*, to excuse the *Colloquie*.

The Queene of *France*, understanding that the King of *Spaine* tooke the *Colloquie* in ill part, sent *Jaques de Montbrun* expressly to him; who made a large excuse, that all was done for necessity, and not in favour of the Protestants, and that the King and Queene, without speaking any more of a Nationall Councell, were resolved to send their Bishops to *Trent* as soone as might be. The King answered him in generall words, and referred him to the Duke of *Alva*; who, having heard his Ambassage, said, that the King was sory that, in a kingdome so neere, and so neerly allied to him in kinred, religion should be so ill handled; that there was need of that severity which *Henry* used, in a Mercuriall Congregation, and *Francis* in *Amboise*, not long since; he prayed the Queen to make provision, in regard, the danger of *France* belonging to him also, he was resolved by the advice of his Councell, to imploy all his forces, and his life also to extinguish the common pestilence; wherunto he was solicited by the Grandies and people of *France*. The wise Spaniards thought to cure the maladies of *Flanders*, by the medicine of *France*; which were not lesse, but only were lesse apparant, and tumultuous. The King of *Spaine* could never make the States assemble, to obtaine a contribution or *donative*; but private assemblies in *Cambray*, *Valentia*, and *Tornay* were discovered. The Magistrate having forbid them, and imprisoned some of them, they put themselves into Armes, with great danger of rebellion; and it seemed that the Prince of *Orange*, and Count *Egmont* were open favourers of them, especially after that the Prince had married *Anne*, daughter of *Maurice*, Duke of *Saxony* deceased: which did much displease the King, foreseeing what issue such a marriage might have, contracted by one of his Subjects, with a Protestant of so great adherence. Yet the Spaniards spake as if *Flanders* had beene sound, and that they feared infection in *France* only, which they would have purged with warre. And the Ambassador was answered concerning the King of *Navarre*, of whose businesse he had commission to treate, that he deserved nothing, for the small care he had of religion, and that if he would have favour, he should first moove warre against the Hugonots in *France*.

The Spaniards would have cured the maladies of *Flanders*, with the medicine of *France*.

The prince of *Orange* marieth the daughter of the Duke of *Saxony*.

The Queene also excused the same *Colloquie* to his Holinesse by the Kings Ambassador in *Rome*, telling him, that, to put the Hugonots to silence, who said they were persecuted before they were heard, and to appease their commotions, the King was forced to grant them publike audience, in the presence of the Princes, and officers of the Kingdome, resolving that, if they would not be overcome with reason, he would, after he had time to put himselfe in order, overcome them by force. She caused him also to treat with the Cardinall *Farnese*, Legat of *Avignion*, to resigne that legation to the Cardinall

of

of *Burbon*, whereunto *Ferneſe* having given conſent, the Ambaſſador ſpake of it to the Pope in the name of him, and of the King of *Navarre*, ſaying, that his Holineſſe would be freed from charge, and the City ſecured from the *Hugonots*, who would not attempt ought againſt it, being in the protection of a Prince of the blood. Not only thoſe who were skilfull in the affaires of the world, but every one of any meane judgement, knew that this was done to take with eaſe the dominion of that City from *Rome*, and unite it to *France*. Therefore the Pope denied it abſolutely, and related the propoſition in Conſiſtory, as if ſome great prejudice had beene concealed under it, which did not appeare at the firſt ſight. And he much complained of the Queene and King of *Navarre*, who having often promiſed him that nothing ſhould be done in *France* againſt his authority, yet they did favour hereſies, and were authors of the Congregations of the Prelates, *Colloquies*, and of other prejudiciall things. He ſaid his gentleneſſe was ill requited, and therefore, that he would begin the Councell ſuddenly, and by meanes thereof, make knowne the reverence which ſecular Princes owe to the Church. He uſed the ſame complaint and threats to the Ambaſſador; who having replyed that the demand of the Legation was to a good end, and that all the actions of the Queene were done with maturity and juſtice, added, that the Councell was more deſired by the King than by his Holineſſe, hoping it would proceed with the ſame equity and reſpect towards all Princes, not making difference of them. He uſed theſe words, to mocke the Pope, who had granted a little before a great ſubſidie of the King of *Spaine*, to be paid by the Clergie, after he had obtained of him the ſimple *Annates*. But the Pope, ſuſpecting the petition of *Avignion*, and conſidering that the Vaſſals of that City were all Proteſtants, fearing it might be uſurped by the King of *Navarre*, did preſently diſpatch thither *Fabricius Sorbellone*, with two thouſand foot, to lye there in garriſon, and gave the government thereof to *Lorenzo Lenci*, Biſhop of *Fermo*, as a Vice-legate.

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After the *Colloquie* was ended, and the Proteſtants departed, the Prelates remained, to treat of the Subſidies to be given to the King; which the Queene thinking would give ſuſpicion to the Pope, in regard of his often cõplaints aſſured him that they remained only to conſult of the Kings debts, and that, the congregation being ended, ſhe would immediatly give order to the Biſhops to put themſelves in a readineſſe to goe to the Councell. Notwithſtanding they treated of the Communion of the Cup, the Biſhop of *Valence*, with conſent of the Cardinall of *Loraine*, propoſing, that if it were allowed, the proſperous courſe of the increaſe of the Proteſtants would be interrupted, in regard that many, who doe adhere unto them, doe begin to beleeve them from this point, who would not hearken unto them, if this were granted freely by the Church. And thoſe who underſtood the affaires of the world did conſider, that, by this meanes, a faction would ariſe betweene the Reformatiſts themſelves. Some few of the Biſhops thought fit it ſhould be conſtituted by the Edict, and immediatly executed, ſaying that the whole Communion was not taken away by the decree of the Church, but by cuſtome only, and that there is no Eccleſiaſtical decree which forbiddeth the Biſhops to returne to the former uſe. But the major part would not conſent it ſhould

A treaty in *France* about the Communion of the cup.

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be done, but by grant, or, at the leaſt, by the favour of the Pope. Some few would not agree to any innovation, but were forced to yeeld to the greater number. This was much urged by *Loraine*; who, to obtaine the Popes conſent, thought it neceſſary to gaine the favour of the Cardinall of *Ferrara*; and to win him the better, he perſwaded the Queene to hearken to his propoſitions, and to grant him ſomething. The Cardinall had proceeded ſo ſweetly and courteouſly with every one, even of the contrary religion, that he had gained the good will of many who did oppoſe him at the firſt. And his negotiation being examined, it was granted, by a *Briefe* of the King, adviſed thereunto by the moſt intimate of his Counſell, that the capitulations of *Orleance* concerning matter of Benefices ſhould be ſuſpended, and that the Legat might exerciſe his *Faculties*; but ſo, as that he ſhould firſt promiſe under his hand writing, that he would not uſe them, and that he would be a meanes that the Pope ſhould provide againſt all the abuſes and diſorders which are committed in the collation of Benefices, and diſpatches of the Buls in *Rome*. Notwithſtanding the Chancellor refuſeth to ſubſcribe and ſeale the *Briefe*, according to the ſtile of the kingdome; and, it being impoſſible to remove him from his reſolution, it was ſubſcribed by the Queen, the King of *Navarre*, and by the principall officers of the Kingdome: wherewith the Legat was content, more regarding the preſervation of his owne honor, than the ſervice of him that ſent him. For this favour, he was content to thinke well of the Communion of the Cup, and to write thereof to *Rome*; which he did with ſuch a temper, that neither the Pope nor Court were diſtaſted. In the concluſion of the aſſembly of *Poiſie*, the Prelates granted power to the King to ſell 100000 crownes of yeerely rents of the lands of the Church, ſo that the Pope would allow it.

Leave is given to the Legat by the Kings Briefes to exerciſe his *Faculties*,

Which the Chancelor refuſeth to ſubſcribe.

The aſſembly of *Poiſi* giveth the K. power to ſell Church lands to the value of 100000. Crownes.

The King gave order to his Ambaſſadour in *Rome* to make requeſt for it, ſhewing the neceſſity and utility of the grant; which the Ambaſſadour did, juſt the day before letters came to the Pope from the Card. of *Ferrara*, which gave him an account of the difficulties overcome, and how he had obtained a ſuſpenſion of the capitulations of *Orleance* againſt the Eccleſiaſticall liberty, and leave to uſe the *Faculties* of a Legat; which things, he ſaid, were more hardly compaſſed, becauſe the Cardinall of *Loraine*, from whom he expected favour, had oppoſed him from the beginning. And he made a full narration of the ſtate of religion in *France*, ſhewing the danger that it would be quite extinguiſhed, and the remedies to preſerve it; which were only two. One, to give ſatisfaction to the King of *Navarre*, and to intereſt him in the defence of it. The other to grant the people generally the Communion *Sub utraque ſpecie*; affirming that certainely, by this meanes, at the leaſt two hundred thouſand ſoules would be gained. The Ambaſſadour, in conformity hereof, beſeeched the Pope in the name of the King, of the Church of *France*, and of the Prelates, that they might be diſpenſed with to adminiſter to the people the Sacrament of the Euchariſt under both kindes, as a profitable and neceſſary preparation, to diſpoſe them to receive the determinations of the Councell with readineſſe, without which it is much to be doubted that this remedy will finde raw humors, which may cauſe a greater diſeaſe.

The Legat informeth the Pope that there are but two wayes to preſerve religion in *France*.

The French Ambaſſadour deſireth the Pope to grant the Communion of the Cup to the Frenchmen.

The

The Pope, according to his naturall diſpoſition, ſuddenly anſwered, without any premeditation, that he had ever thought that the Communion of both kinds, and marriage of Prieſts were *de jure poſitivo*, in the diſpoſition of which things he had as much authority as the whole univerſall Church: and therefore was thought to be a *Lutheran* in the laſt *Conclave*. That the Emperor had made the ſame requeſt for his ſon, the king of *Bohemia*, whoſe conſcience did induce him to be of this opinion; and had demanded the like for the people of his patrimoniall territories, but that the Cardinals would never yeeld unto it. Notwithſtanding he ſaid he would not reſolve of any thing without propoſing it firſt in the Conſiſtory, and promiſed to ſpeake hereof in the next; which being intimated for the tenth of December, the Ambaſſadour, according to the cuſtome of thoſe at whoſe inſtance any buſineſſe is handled, went in the morning while the Cardinals were aſſembled expecting the Pope, to mediate with them. The moſt diſcreete amongſt them anſwered, that the demand did deſerve great deliberation, and that they durſt not reſolve untill they had well conſidered of it; others were paſſionate, as at newes never heard of before. The Cardinall of *Cueva* ſaid, that he would never give his voyce in favour of ſuch a demand, and that if it were ſo reſolved by authority of his Holineſſe, and the conſent of the Cardinals, he would goe to the top of the ſtaires of Saint *Peter*, and cry (*miſericordia*) with a loud voyce; not forbearing to ſay that the Prelates of *France* were infected with hereſie. The Cardinall Saint *Angelo* anſwered, that he could never give a *Cup* full of ſuch deadly poyſon to the people of *France*, in ſtead of a medicine, and that it was better to let them die, then cure them with ſuch remedies. To whom the Ambaſſadour replied, that the Prelates of *France* were induced to be of this opinion with good grounds, and Theologicall reaſons, which deſerved not ſuch a contemptuous cenſure; and, on the other ſide, that it was not fit to give the name of poyſon to the Blood of CHRIST, and to call the holy Apoſtles poyſoners, and the Fathers of the Primitive Church, and of that which followed for many hundreds of yeeres, who, with much ſpirituall profit, have miniſtred the Cup of that Blood to all the people.

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Who giveth a favourable anſwere.

The Pope, being entred into the Conſiſtory, having diſcourſed with ſome Cardinals, and better thought of the buſineſſe, wiſhed he had been able to recall his word. Notwithſtanding he propoſed the matter, related the Ambaſſadors inſtance, cauſed the Legats letter to be read, and demanded their opinions. The Cardinals who were dependants on *France*, commended with divers formes of words the Kings intention, but concerning the requeſt, referred themſelves to his Holineſſe. The Spaniards did all oppoſe, and uſed great boldneſſe of ſpeech, ſome calling the Prelates of *France* heretikes, ſome ſchiſmatikes, and ſome unlearned, alleadging no reaſon but that all CHRIST is in both the kinds. The Cardinal *Pacceco* conſidered that all diverſities of rites, eſpecially in the moſt principall ceremonies doe end with ſchiſme and hatred. For now the Spaniards in *France* go to the French Churches, and the Frenchmen in *Spaine* to the Spaniſh, but when they ſhal coõmunicate ſo diverſly, one not receiving the Communion of the other, they will be forced to make Churches apart, and ſo behold a diviſion.

For which afterwards he was ſory.

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Friar *Michael*, Cardinall of *Alexandria*, ſaid, that it could not by any means be granted by the Pope *de plenitudine poteſtatis*; not for want of authority in him over all which is *de jure poſitivo*, in which number this is, but in regard of the incapacity of him that demandeth the favour. For the Pope cannot give power to do evill; but it is an hereticall evill to receive the chalice, thinking it to be neceſſary; therefore the Pope cannot grant it to ſuch perſons. And it cannot bee doubted but that thoſe who demand it doe judge it neceſſary, becauſe no man maketh any great matter of indifferent ceremonies. He ſaid that theſe men doe hold the Chalice either to be neceſſary, or not: if not, why doe they give ſcandall, by making themſelves differ from others? if otherwiſe, then they are heretikes and uncapable of the *grace*. The Cardinall *Rodolpho Pio di Carpi*, who was one of the laſt that ſpake, becauſe the inferiours doe begin, concluded in conformity with the others, that not only the ſaving of two hundred thouſand ſoules, but one only was a ſufficient cauſe to diſpence with any poſitive law, with wiſedome and maturity; but in that propoſition one ought to take heed, leſt, thinking to gaine two hundred thouſand, he loſe two hundred millions. That it was manifeſt, that this would not be the laſt demand of the French men in matter of religion, but a ſtep to propoſe another, that afterwards they will demand the marriage of Prieſts, the vulgar tongue in the miniſtery of the Sacraments: which will have the ſame ground, becauſe they are *de jure poſitivo* and muſt be granted for the preſervation of many. Of the marriage of Prieſts this inconvenience will follow that having houſe, wife and children, they will not depend on the Pope, but of their Prince, and their love to their children will make them yeeld to any prejudice of the Church. They will ſeeke to make the Benefices hereditary; and ſo in a ſhort ſpace, the authority of the Apoſtolike Sea will be confined within *Rome*. Before ſingle life was inſtituted, the *Sea* of *Rome* received no profit from other nations and cities, and by it, is made Patron of many benefices, of which mariage would quickly deprive her. Of the vulgar tongue this inconvenience would follow, that all would thinke themſelves Divines, the authority of Prelates would be diſeſteemed, and all would become heretiques. If the communion of the Chalice were granted, ſo that faith were preſerved, it would be of ſmall importance; but it would open a gate to demand an abrogation of all poſitive conſtitutions, by which only this prerogative given by CHRIST to the Church of *Rome*, is preſerved, for by thoſe which are *de jure divino* no profit doth ariſe, but that which is ſpirituall. For theſe reaſons it is wiſdome to oppoſe the firſt demand, not to be bound to grant the ſecond & all the reſt.

The inconvenience of the mariage of Prieſts.

The inconvenience of the vulgar tongue.

The inconvenience of the communion of the Cup.

The Pope reſolveth not to grant the Cup to the French men.

The Pope, principally for theſe cauſes, did reſolve negatively; and, to make his reſolution the leſſe grievous, he cauſed the Ambaſſador to be perſwaded to deſiſt of his owne accord, who not conſenting, hee cauſed him to be intreated, that, at the leaſt, he would proſecute it gently, in regard it was impoſſible to yeeld unto him, for feare of aliening all the Catholiques. The Ambaſſador ſtill proceeding, the Pope firſt put him off with delay, and, in concluſion, anſwered, that howſoeuer he could, yet he ought not to yeeld, to his requeſt, becauſe the Councell was at hand, unto which he had referred the Emperours petition, ſo he would doe that of *France*, and, to gratifie

tifie the King, would handle that Article firſt of all, and ſo diſpatch it in as little time as would be requiſite to grant the *grace* with maturity. The Ambaſſadour repeating this inſtance in every audience, the Pope added, that he was ſure all the Prelates did not make that requeſt, becauſe the major part in the Congregation did reſolve not to ſpeake of it, ſaying that the name of the Prelates of *France* was uſed, whereas the motion proceeded but from a few, and thoſe incited by others, meaning the Queene; againſt whom he bare a ſecret grudge, for the letter ſhe wrote unto him the 4 of Auguſt. 1561

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The French Prelates are ſuſpected in *Trent*, and *Rome*.

At the ſame time when the Petition of the French Prelates was publiſhed in *Rome*, newes came out of *Germany*, that the ſame men had ſent to the Proteſtants there, to perſwade them to perſevere in their doctrine, promiſing to favour them in the Councell, and to draw other Prelates to do the like. This was divulged in *Trent* alſo; and cauſed the French-men to have but ſmall reputation, both there amongſt the Italians, and in the Court of *Rome*, where they were eſteemed to be men of an unquiet ſpirit, and deſirous of innovation. And it was ſaid (as ſuſpicions doe alwayes adde ſomething) in regard of the diſputes which that Nation hath ever had with the Court of *Rome*, in very important Articles, and of the preſent accidents, that certainely they would goe to the Councell, with no other aime, but only to cauſe troubles and innovations. The Ambaſſador, that the popular rumor againſt his Nation might not make an impreſſion in the Popes minde, was willing to ſecure him; who perſwaded him ironically not to trouble himſelfe becauſe it was not likely, nor could he beleeve, that ſo ſmall a number as are the French men, could thinke of ſo great enterpriſes; and, if they did, that they ſhould finde many Italians who would oppoſe them. But he ſaid, he was diſpleaſed that they had hindered the Councell, which was aſſembled for their ſakes only; which ſhewed but ſmall care in them to cure that ſickneſſe, whereof they complaine; adding that he was reſolved to open the Councell; either with them, or without them, and to proſecute and diſpatch it; and that his Legats and a great number of Biſhops had beene many moneths in *Trent* already, to their great trouble and charge, not able to doe any thing, while the Prelates of *France* doe ſo deliciouſly provide for their eaſe at home.

In conformity hereof, he did recapitulate in Conſiſtory the inſtances, and cauſes, for which he had, juſt a yeere ſince, intimated the Councell, by advice of them the Cardinals; the difficulties which he encountred, and overcame, in perſwading the Princes, who were of contrary opinions to accept the Bull; his diligence in ſending preſently the Legats, and thoſe Prelates with whom he was able to prevaile, either with perſwaſions, or commands; that all is already prepared by him onely, ſeven moneths ſince, and is ſo chargeable to him, that, amongſt officers and poore Prelates, the Apoſtolike Sea doth ſpend above three thouſand crownes a moneth, and that experience ſheweth that delay doth bring on more expence; that the Dutchmen doe invent ſomething every day, to oppoſe againſt this holy and neceſſary worke; that hereſies doe increaſe in *France*, and ſome Biſhops are almoſt become rebellious, by making abſurd petition for the Cup; which they doe with ſuch violence, that the greater number, who are good Catholiques

The Popes expences in the Councell.

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liques, are forced to yeeld; that all Princes have oppointed Ambaſſadours; that there are ſo many Prelates in *Trent* already, that they are not only ſufficient to begin the Synod, but are more than were in any of the two former convocations thereof; and that nothing remained but to begin, without expecting any longer. The Cardinals having conſented hereunto, and commended his reſolution, he joyned two Legates more to the three former, *Ludovicus Simoneta*, a great Canoniſt, who had paſſed through all the offices of the Court, and *Marcus di Altemps* his ſiſters ſonne. He commanded the former to depart preſently, and not to tary any where in the journey, and, ſo ſoone as he came to *Trent*, to cauſe the uſuall ceremonies to be made, and the Maſſe of the holy Ghoſt to be ſaid for a beginning of the Councell. He ſaid afterwards that the Synod was to continue ſtill, not to terminate in ſuſpenſions, or tranſlations, as formerly it did, with notorious prejudice and danger, but to have an abſolute end. For effecting whereof, there was no need to ſpend many moneths, in regard the moſt important points were already determined, and the reſidue was ſo ſet in order, by diſputations and examinations under *Julius*, that ſcarce any thing remained but publication; ſo that all would be diſpatched in a ſhort time.

Two preſidents more are appointed for the Councell.

Simoneta arrived in *Trent* the ninth of December, and, at his entry, ſaw a great fire riſe out of the earth, which paſſed over the City, like unto a falling ſtarre, but only in bigneſſe; whereof idle perſons, of which number there were many, made divers prognoſtiques, ſome preſaging good, and ſome hurt, which would be a vanity to recount. The Cardinall found letters written after his departure, that he ſhould expect a new commiſſion to open the Councell. The Pope compelled ſome Biſhops who were at Court at the time of his departure, to goe with him; ſo that the number of all, beſide the Cardinals, was 92.

The number of the Prelats in *Trent*.

The Pope writeth to his Legate in *France*.

The *Nuncio*, reſident in *France*, returned to *Rome* in the beginning of December, who having related the ſtate of that Kingdome, the Pope wrote to the Legat that he ſhould repreſent to the Kings Counſell, that the Councell was to be celebrated for *France* only, becauſe neither *Italy*, nor *Spaine* had need of it, and *Germany* did refuſe it; and tell them, that therefore it did concerne them to promote it; a thing neglected by them, but performed by him in regard of his fatherly affection; and that the Legates being in *Trent* already, and many of the Italian and Spaniſh Prelates, and the reſt in their journey, they ſhould immediatly ſend an Ambaſſadour, and their Biſhops. Beſides, he commanded the Legat to uſe all diligence to hinder the preaching and aſſembling of the Proteſtants, and to encourage the Divines, giving them *Indulgences* and ſpirituall *graces*, and promiſing them temporall aſſiſtance alſo; but that himſelfe ſhould, by no means, be preſent at the Sermons of the Proteſtants, and avoid all banquets where any of them were in company.

Two Polonian Prelats come to *Trent*.

At the ſame time the Polonian Prelats came to *Trent*, who, having viſited the Legats, and ſhewed the devotion of their Church to the Sea of *Rome*, related how the Lutherans attempted to bring their doctrine into that kingdome, and the foundations which were already laid in ſome parts; to oppoſe whoſe plots the Biſhops were alwaies to be vigilant: that they were all

deſirous

desirous to assist in the Councell, and to promote the common cause; which not being able to doe, for the cause aforesaid, so important and necessary, they had sent their Proctors to give voyce, as if the Prelates were present. And they demanded to have as many voyces as they had commissions from the Bishops, who, for lawfull causes, could not part out of the Kingdome. The Legats answered in generall termes, meaning to resolve with mature deliberation: and the Pope, whom they had advised thereof, proposed it in Consistory; where the Cardinals, without difficulty, concurred in the negative, because it was determined before that the resolutions should be made as formerly they had beene, by plurality of voyces, and not by Nations. Which was thereafter thought to be necessary, because there was a fame that the French-men, though Catholikes, came with *Sorbonicall* and *Parliamentary* minds, fully bent to acknowledge the Pope no further than they pleased. And it was knowne before, that the Spaniards had some humor to subject the Pope to the Councell; and the Legats had often sent advice from *Trent*, that some bad ambitious humors, to enlarge the Episcopall authority, were discovered; and, in particular, the Spaniards did oppose that it was necessary to restraine the authority of the Pope, at the least so farre as that he might not derogate from the decrees of this Councell, saying, that, otherwise, the labour and cost would be all in vaine, if, for small causes, and sometimes without any, he might dispence with them, as he daily doth with all the Canons. The Cardinals saw no other meanes to oppose these attempts, but by sending a great number of Italian Prelates, who, being united together, will overcome all the *Ultramontans*. And this remedy would be to no purpose, if the voices of the absent were admitted. For the Spaniards and French men would cause all their Bishops to send proxies, and it would be as much as to give voyces, not by heads but by Nations.

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Who desire to have as many voices as they have commissions from the Bish. Their request is sent to *Rome*; where it was rejected for feare of dangerous consequences.

The designes of the French and Spanish Prelats are suspected.

For which cause the Pope resolveth to send many Italian Prelats to *Trent*, to make a major part.

Therefore it was written to *Trent*, that they should make large promises to the *Polonians*, but conclude, that the Councell was a continuation, and the same which was begun under *Paulus* the third, so that the orders then practised, and continuately kept, with good fruit, as did appeare, must be still observed; amongst which one was that the absent should have no voyce; with which if they did dispence, all other Nations would pretend the like, with much confusion; that whatsoever request *Polonia* did make, for any thing that was proper to it selfe, and would not raise any stirs in other Countries, should be granted in regard of the merits of that most noble Nation. The *Polonians* seemed to be satisfied with the answere, yet pretending businesse at *Venice*, they departed; and returned no more.

The Polonian Prelats seeme to be satisfied with courteous negative, but depart, and returne no more.

A Letter which the King of *Spaine* wrote with his owne hand, caused much joy in *Rome*; in which he advertized the Pope of the negotiation of *Montbrun*, sent unto him by the Queene of *France*, and of the answer which he gave him, promising to assist his Holinesse to purge Christendome of heresie, with all the forces of his Kingdomes and States, and to send potent and speedy aides to any Prince that would cleanse his Countrey of that contagion. But the bad conceit which the Court had of the French-men was increased, by an advice sent from *Paris*, that the Parliament had, with much solemnity, condemned to recant one *John Tancherell*, a Bachelor of Divinity,

John Tancherell is condemned by the Parliament of *Paris* for defending in the schooles, that the Pope may depose Kings.

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ty, because, with intelligence of some Divines, he had proposed and defended publique questions, that the Pope, *Vicar* of Christ, is Monarch of the Church, and may deprive Kings and Princes, who disobey his commandements, of their Kingdomes, States, and Dignities; who being accused, cited, and having confessed the fact, did flie, and the judges, as in a Comedy, caused the Beadle of the University to represent his person, and to make a publike satisfation, and recantation, forbidding the Divines to dispute such questions hereafter, making them go to the King to aske pardon for having suffered so important a matter to be disputed on, and to promise to oppose themselves alwayes against that doctrine. They spake of the Frenchmen as of lost sheepe, who denied the authority given by Christ to S. *Peter*, to *feed the whole flocke*, and *to loose and binde* which doth consist principally in punishing the delicts which give scandall, or offence against the Church in common, without difference of Prince or subject. The example of the Emperours, *Henry* the fourth and fifth, *Frederic* the first and second, and *Lewis* of *Bavaria*, of the Kings of *France*, *Phillipus Augustus*, and *Pulcher*, were alleadged; as also the famous sayings of the Canonists in this point: they said the Pope ought to cite the whole Parliament to *Rome*; and that the conclusion of that Divine ought to be sent to *Rome* also, to be examined before any thing else were done, and approoved, and the contrary condemned. The Pope did moderately complaine hereof, and thought it better to dissemble, because, as he said, the great sore of *France* did make this insensible.

For which the Frenchmen are much censured in *Rome*.

Put the Pope dissembleth his distaste.

The Court was perswaded, that neither Ambassadour nor Bishop would be sent out of *France* to *Trent*, and discoursed what was fit for the Pope to doe to force them to accept the determinations of the Councell, which the Pope was, by all meanes, resolved to open, at the beginning of the new yeer. He imparted this determination to the Cardinals, exhorting them to consider, that it did not stand with the honor of the Apostolike Sea, nor of that Colledge, to receive rules and reformations from others, and that the condition of the times, when all cry out for reformation, not understanding what it is, did require, that in regard of the glorious name thereof, it should not be refused; that, in this contrariety of reasons, the best temper was, to make, by way of prevention, a reformation of his owne accord; which would not serve to that purpose only, but win commendations also, by making himselfe an example to others; that for this cause, he would reforme the *Penitentiary*, and *Datary*, principall members of the Court, and afterwards consider of smaller matters: and he deputed Cardinals for one and the other charge. He discoursed of the causes why the opening of the Councell could no longer be deferred. For it being discovered that the *Ultramontans* have bad ends and designes, to abate the absolute power which God hath given to the Pope of *Rome*, the more time they have to thinke on it, the more their plots will increase; and that there is danger, that, by time, some of the Italians may be gained also, that therefore it is the safest way to use expedition, and that, if the great expences, which are made in maintaining the Prelats be not quickly ended, the Apostolike Sea, will not be able to beare them. Afterwards he gave the crosse of the Legation to the Card. *Altemps*, with order to

The Pope promiseth to make a reformation in the Court.

And hasteneth the opening of the Councell.

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put himselfe in readinesse, and to be in *Trent* at the opening of the Councell, if it were possible. The cause why he revoked the order, given at the departure of Cardinall *Simoneta*, to open the Councell at his arrivall, was the instance of the Emperors Ambassador in *Rome*, that the Ambassadors of his Master might be present at it. But afterward having advertized his Holines, that they would be in *Trent* before the midst of January, he earnestly entreated the Marquis of *Pescara*, whom the King of *Spaine* had sent Ambassador to the Councell, to be in *Trent*, and assist at the opening of it. He solicited the *Venetians* also to send their Ambassage, being carefull that the ceremony should passe with reputation. Notwithstanding, he wrote to the Legats to open the Councell so soone as the Ambassadors of the Emperor, and of the forenamed Princes were arrived, and that if they came not by the middest of the moneth, they should deferre it no longer. And in this conjuncture the yeare 1561 did end.

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THE SIXT BOOKE OF THE HISTORIE OF THE COVNCELL Of TRENT.

THE Legats, in conformity of that which the Pope had last commanded, the fifteenth of January, made a generall Congregation, in which the Cardinall of *Mantua*, as prime Legate, made a discourse, to shew how necessary and fit it was to open the Councell, and exhorted the Prelate to promote so sacred and pious a worke, with fastings, almes, and frequent Masses. Afterwards the Bull of the Legation was read, dated the tenth of March; which was in generall termes, with the usuall clauses: that he sent them, as Angels of peace, to preside in the Councell, which was to begin at Easter. After this, three other Briefes were read. The first dated the fifth of March, and was a faculty to the Legats to give leave to the Prelates and Divines to reade, during the time of the Councell, bookes prohibited. The second dated the three and twentieth of May, that the Legats should have facultie to absolve those who would secretly abjure for cause of heresies. The third was dated the last of December, in which the Pope to take away all controversie which might happen betweene the Prelates about precedency, doth command that the Patriarkes should have the first place, the Arch-bishop the second, and the Bishop the third, regarding only the time of the promotion, not the dignity of the Sea, or of the Primacy, whether true or pretended.

A generall congregation is held the 15 of April, in which two great contro-versies did arise

This being read, Friar *Bartholomew de Martiri*, Archbishop of *Braga* in *Portugal*, exclaimed that the Councell should begin with doing injury to the principall Churches of Christendome, saying that his Sea, which had the Primacy of *Spaine*, should, by this sentence, be made inferiour, not only to three Archbishoprickes, subject unto him, but also the Archbishop of *Rosano* who hath no Suffragan, and to the Archbishops of *Nissia* and *Antivari* who

One about precedence of the Prelates.

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who have not any residency, and scarce any Christians to governe; that it is not equitable to make one law for ones selfe, and another for others, and to pretend the preservation of ones owne right, and to deprive others of theirs. He spake so earnestly, that the Legats were troubled, and did hardly pacifie him, though they caused a declaration to be written, that the Popes meaning, and theirs was, that no man should gaine or lose any right by that Decree, neither in propriety, nor in possession, but that every Primate, whether true or pretended, should, after the Councell, remaine in the same state in which he was before. The Arch-bishop being with much adoe appealed, the other Spaniars made request, that the opening of the Councell might be declared to be a continuation of that which was begun under *Paul*, and prosecuted by *Julius*, lest any one might cavill, that it was a new Councell. The Bishop of *Zante*, who had been in *Germany*, and knew how that action would be calumniated, and how distastfull to the Emperor, replied, that as the things already determined ought not to be questioned, but held as decided, so to declare so much now without necessity, would cut off all hope from the Emperour and French King to finde such a conjuncture, as that the Protestants would submit themselves to the Councell, and assist in it. The Legats, especially *Mantua* and *Varmiense*, did second the opinion of the Bishops with many discourses, and much was spoken on both sides very bitterly, and the Spaniards said they would protest and returne, yet, after many consultations, they finally agreed to desist from their instance, not to oppose the Emperour, the French King, the Dutch-men, and French-men, nor to give matter of complaint to the Protestants, so that no words were used to signifie it was a new Councell, or to prejudice the continuation. The Cardinals promised in the Popes name, that his Holinesse would confirme whatsoever was done in *Trent*, in the two precedent Councels, though this were dissolved without conclusion. The Spaniards were content: and after long discoursing, it was concluded, that a forme of words should be used to signifie, that the Councell did begin to be celebrated, all suspension being removed; which though they were ambiguous, and might be drawne to contrary sences yet being sufficient to compose the present difference, they were received; and they concluded to open the Councell the next Sunday, being the eighteenth of the moneth. In the end the Cardinall proposed, that the Councell being begun, the Prelates should frequent the publique Chappels in the time of Masse, and that there should be many Latine Sermons, which being to be made sometimes by men that know not what doth befit the time, place, and auditory, that it were good to depute a Prelate, who, as Master of the holy Palace in *Rome*, should review that which was to be spoken, and so the Sermon to be repeated, according to his censure. The proposition pleased them all; *Egidius Foscararus*, Bishop of *Modena*, was appointed to peruse every Sermon, and whatsoever else was to be delivered in publike.

Another whether this Convocation of the Councel should be a continuation of it, or a new Councell.

A decree for opening the Councell.

The Bishop of *Modena* is appointed to peruse whatsoever is to be delivered in publike.

The Congregation being dissolved, the Legates, by the helpe of their inward friends, beganne to frame the Decree, and did conceive it in the forme agreed on; and observing divers treaties amongst the Prelates, while they were idle in *Trent* to propose some one provision, some another, all tending

tending to enlarge the authority of the Biſhops, and diminiſh that of *Rome*, they thought to remedy all in the beginning, before the humour began to ſtirre, by decreeing that none, but the Legats, might propoſe any matter to be diſcuſſed. They ſaw the propoſition was hard, and foreſaw contradiction; therefore they thought it neceſſary to uſe much Art, that it might be received ſweetly, and at unawares. The negative, that none ſhould propound, ſeemed hard and ſharp; & the affirmative, that the Legats ſhould propound, which did virtually only, and not plainely containe an excluſion of others, did pleaſe better, covering all with a pretence of keeping order, and giving time of deliberation to the Synode. The Decree was ſo artificially made, that, even at this preſent, one muſt be very attentive, if he will diſcover the ſenſe, and it is impoſſible to underſtand it at the firſt, which I will rehearſe in vulgar, in plaine tearmes; but he that will ſee the Artifice, let him read it in Latine. 1562 Pius 4. Ferdinand. Elizabeth. Charles 9.

Why the Legats deſire to make a Decree that none ſhould propoſe any thing in Councell, but themſelves.

Therefore in conformity of the reſolution, when the eighteenth day was come, a proceſſion was made of the whole Clergie of the city, of the Divines and Prelates, who, beſides the Cardinals, were one hundred and twelve, that did weare *Miter*, accompanied by their families, and by many Countrey people armed, going from Saint *Peters* Church, to the Cathedrall, where the Cardinall of *Mantua* ſang the Maſſe of the holy Ghoſt and *Gaſparo del Foſſo*, Arch-biſhop of *Rheggio*, made the Sermon. His ſubject was the authority of the Church, Primacy of the Pope, and the power of Councels. He ſaid that the Church had as much authority as the Word of God; that the Church hath changed the Sabbath, ordained by God, into Sunday, and taken away Circumciſion, formerly commanded by his Divine Majeſty, and that theſe Preceps are changed, not by the preaching of Christ; but by the authority of the Church. Turning himſelfe to the Fathers, he exhorted them to labour conſtantly againſt the Proteſtants, being aſſured that, as the holy Ghoſt cannot erre, ſo they cannot be deceived. And the *Veni creator ſpiritus* being ſung, the Secretary, who was Biſhop of *Tileſi*, read the Bull of the Convocation, before alleadged; and the foreſaid Arch-biſhop interrogated the Decree for the opening the Councell; ſaying, Fathers, doth it pleaſe you that the generall Councell of *Trent* ſhould be celebrated from this day, all ſuſpenſion whatſoever being remooved, to handle, with due order, that which ſhall ſeeme fit to the Synod, the Legats and Preſidents propoſing, to remove the controverſies of Religion, correct manners, and reconcile the peace of the Church? They anſwered, *Placet*. Only foure Prelates contradicted that part, *Proponentibus Legatis*: which words I repeat in Latine, becauſe they muſt be often mentioned, in regard of the great controverſies and diſputes which followed. The contradictors were *Peter Guerrero*, Arch-biſhop of *Granata*, *Franceſco Bianco*, Biſhop of *Orenſe*, *Andreas della Queſta*, Biſhop of *Leon*, *Antonio Calermero*, Biſhop of *Almeria*. They ſaid they could not conſent, becauſe they were new words, never uſed in any Councell, and demanded that their voyces might be regiſtred in the actes of the Councell. No anſwere was given them, and the next Seſſion was intimated for the ſixe and twentieth of February. The Speaker of the Councell required all the *Notaries* and *Protonotaries* to make

The ſolemnities of the firſt Seſſion, in which the Councell was opened.

The words, *Proponentibus Legatis* were much queſtioned.

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one or more Instruments of the things aforesaid; and so the Session ended.

The Legates advised the Pope of what happened in the Congregation, and Session, who imparted it to the Consistory. In which many were of opinion, in regard of these first difficulties, that the Councell would not proceed well, especiall considering the obstinate contradiction of the Spanish Bishops not fit to compose the differences of Religion, although the Legates and Bishops of *Italy* should use Arte, and unite in temporizing and overcomming them. The Pope commended the wisedome of the Legates, that they had prevented, as he said, the temerity of the innovators, and was not displeased with the opposition of foure, because hee feared a greater number; he exhorted the Cardinals to reforme themselves, seeing they had to doe with unrespectfull persons, giving order that the other Italian Bishops should be solicited to depart. And he wrote to *Trent* that they should maintaine the Decree firmely, and put it in execution, without relenting one jote.

Which the Pope will have to be maintained by all meanes.

In *France* the Queene of *Navarre*, Prince of *Conde*, Admirall, and Duchesse of *Ferrara*, having many moneths made requests that places should be allowed to those of the new Religion, for the Sermons and Ceremonies, and all these, and many Grandies more, even in the Court it selfe, making profession thereof, the inferiour Reformatists, imboldened hereby, did assemble themselves apart, which the Catholiques not being able to support, very dangerous popular tumults were raised in many parts of the kingdome, with slaughter on both sides; which were cherished by the Nobility of the Catholiques, envying that the Hugonot Princes, gayning a popular trayne should exceed them. Two divers tumults were rayled by Sermons; one in *Dijon*, and the other in *Paris*; notorious not only for the death of many, but also for the rebelling against the Magistrates; which made the Kings Councell resolve to seeke a remedy; and, that it might be fitted to the whole Kingdome, the Presidents of all the Parliaments were called, and a number of Counsellors elected to deliberate with maturity what was best to be done. The seventeenth of January, all these being assembled in Saint *German*, the Chancellor declared in the Kings name, that they were called to consult how to remedy the stirs raised in the Kingdome. He made a recapitulation of all the things that hapned, adding that the differences in religion should be referred to the Prelates, but when the peace of the Kingdome, and keeping of the Subjects in obedience to the King is in question, that this could not belong to the Ecclesiastikes, but to those whom the King would appoint to consult of it. That he had ever commended *Tulli*, who was wont to blame *Cato*, that, living in a most corrupt age, was so severe and rigid in his determinations, as if he had been a Senator in *Plato* his Common-wealth. That lawes were to be fitted to the time and persons, as the shooe to the foote. That this particular was then to be consulted of, whether it were good service for the King to permit or prohibite the Congregations of the Protestants; wherein they were not to dispute which Religion was the better, because they tooke not in hand to frame a Religion, but to put in order a Republique; and that it was not absurd to say, that many might be good

Tumults in France about Religion.

Citizens,

Citizens, and not good Christians, and that those who were of divers religions might live in peace 1562

In consulting hereof the opinions were divers: but they prevailed who thought that the Edict of July was to be permitted in part, and the Protestants to have leave to preach. At the making of the Edict, which contained many points, the Cardinals of *Borbon*, *Tornon*, *Chastillon* were present, as also the Bishops of *Orleans*, and *Valence*. That the Protestants should restore the Churches possessions, and other Ecclesiasticall goods usurped. That they should forbeare to beat downe Crosses, Images, and Churches, upon paine of death. That they should not assemble themselves to preach, pray, or administer the Sacraments, in publike or in private, by day or by night, within the City. That the prohibitions, and punishments of the Edict of July, and all others made before should be suspended. That they shall not be molested in their Sermons made out of the City, or hindred by the Magistrates, who ought to protect them from injury, chastising the Seditions on both sides. That none shall scandalize another for religion, or use contumelious words of faction. That the Magistrates and officers may be present at the Sermons and Congregations. That they shall not make Synods, *Colloquies*, or Consistories, but with leave, and in presence of the Magistrate. That they shall observe the lawes for fasts, and degrees prohibited for marriage. That the Ministers shall be bound to sweare to the publique Officers, not to offend against this Edict, nor to preach any doctrine contrary to the *Nicen* Councell, and the bookes of the New and Old Testament. The Parliament could hardly be brought to accept of this Edict. Therefore the King did command againe, that it should be published, adding that it was to be understood to be made by way of provision, untill the determinations of the generall Councell were divulged, or the King ordaine otherwise, not meaning to allow two Religions in his Kingdome, but that only of the holy mother the Church, in which himselfe and his predecessors have lived. The Parliament being not agreed for all this, the King commanded, that, laying aside all delayes and difficulties, the ordination should be published. And so it was the sixth of March, with this clause, that the Parliament did verifie the Kings letters to obey him, considering the state of the times, not to approove the new Religion, but only by way of provision, untill it be otherwise ordained by the King.

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For appeasing of which an Edict is made, March 6.

But to returne to *Trent* in the Congregation held the seven and twentieth of January the Legats made three propositions. The first, to examine the books written by divers authors, since the heresies began, together with the censures of the Catholiques against them, to determine what the Synode should decree concerning them. The second, that all that are interested in that matter, should bee cited by the Decree of the Synode, lest they complaine that they have not beene heard. The third, that a Safe Conduct should be given to those who are fallen into heresie, with a large promise of great and singular clemency, so that they will repent, and acknowledge the power of the Catholique Church. And order was given that the Fathers, having considered on the propositions, should deliver their opinions in the next Congregation, as well how to examine with ease the bookes and censures

Three propositions in the congregation of the 27 of January.

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sures, as concerning all the reſt. And Prelates were deputed to examine the *Mandates* and excuſes of thoſe who pretended they could not come to the Councell.

A diſcourſe of the Author concerning the prohibition of bookes.

This place doth require a relation of the beginning of prohibiting books, and with what progreſſe it was come to that ſtate in which it then was, and what new order was then taken. In the Church of Martyrs there was no Eccleſiaſticall prohibition, though ſome godly men made conſcience of reading bad bookes, for feare of offending againſt one of the three points of the Law of God, to avoid the contagion of evill; not to expoſe ones ſelfe to temptation, without neceſſity or profite; and not to ſpend time vainely. Theſe Lawes, being naturall, doe remaine alwayes, and ſhould oblige us to beware of reading bad bookes, though there were no Eccleſiaſticall law for it. But theſe reſpects ceaſing, the example of *Dionyſius*, Biſhop of *Alexandria*, a famous Doctor, did happen, who about the yeere of our Lord 240, being reprehended by his Prieſts for theſe cauſes, and troubled with theſe reſpects, had a viſion that hee ſhould reade all bookes, becauſe he was able to judge of them. Yet they thought that there was greater danger in the books of the Gentiles, than of the heretiques, the reading whereof was more abhorred and reprehended, becauſe it was more uſed by Chriſtian Doctors for a vanity of learning eloquence. For this cauſe S. *Hierom*, either in a viſion, or in a ſleepe, was beaten by the devill; ſo that about the yeere 400, a Councel in *Carthage* did forbid to reade the books of the Gentiles, but allowed them to reade the bookes of the heretickes; the Decree whereof is amongſt the Canons collected by *Gratian*. And this was the firſt prohibition by way of Canon: but there are others, by counſell of the Fathers, to be regulated according to the law of God, before recited. The bookes of the heretikes, containing doctrine condemned by Councels, were often forbid by the Emperours for good government. So *Conſtantine* forbade the bookes of *Arrius*; *Arcadius* thoſe of the *Eunomians*, and *Maniches*, *Theodoſius* thoſe of *Neſtorius*; *Martianus* thoſe of the *Eutichians*; and in *Spaine* the King *Ricaredus*, thoſe of the *Arrians*. It ſufficed the Councels and Biſhops to ſhew what bookes did containe damned or apocryphall doctrine. So did *Gelaſius* in the yeere 494. and went no further, leaving it to the conſcience of every one to avoyde them, or reade them to a good end. After the yeere 800, the Popes of *Rome*, as they aſſumed a great part of the politique government, ſo they cauſed the bookes, whoſe authors they did condemne, to be burned, and forbade the reading of them. Notwithſtanding, one ſhall heare but few bookes forbid in that ſort, untill this age. A generall prohibition of reading bookes containing doctrine of heretiques, or ſuſpected of hereſies, upon paine of excommunication, without any further ſentence, was not uſed. *Martinus* 5 doth in a Bull excommunicate all the Sects of heretikes, eſpecially *Wigleſiſts*, and *Huſſites*, not mentioning thoſe who read their bookes, though many of them went about. *Leo* the tenth condemning *Luther*, did withall forbid all his bookes, upon paine of excommunication. The Popes following, in the Bull called *In Cœna*, having condemned and excommunicated all heretiques, did excommunicate thoſe alſo who reade their bookes: and, in other Buls againſt heretickes in generall, did thunder the ſame cenſures, againſt the reader

ders of their bookes. This did rather breed a confuſion. For the heretiques not being condemned by name, one was to judge of the bookes more by the quality of the doctrine, than by the name of the authors, wherein divers men being of divers opinions, many ſcruples of conſcience did ariſe. The *Inquiſitors* being more diligent, made Catalogues of thoſe whom the knew, which, not being conferred, were not ſufficient to remoove the difficulty. *Philip*, King of *Spaine*, was the firſt that gave a more convenient forme, in the yeere 1558, making a Law that the Catalogue of bookes prohibited by *Inquiſition* ſhould be printed. 1562. PIVS 4. FERDINAND. ELIZABETH. CHARLES 9

According to this example *Paul* 4 alſo ordained, that an *Index* ſhould be compoſed by that office, and printed; and ſo it was in the yeere 1559. in which they did proceed many ſteps further than formerly they had done, and laid foundations to maintaine & make great the authority of the Court of *Rome*, by depriving men of that knowledge, which is neceſſary to defend them from uſurpations. Untill that time they contained themſelves within the tearmes of the bookes of the heretiques, neither was there any booke forbidden, if the author were not condemned. This *Index* was divided into three parts. The firſt containeth the names of thoſe, all whoſe workes, of what argument ſoever, though prophane, are forbidden: and in this number are placed not only thoſe who have profeſſed doctrine, contrary to that of *Rome*, but many alſo which liued and dyed in the profeſſion thereof. The ſecond containeth the names of the bookes which are particularly condemned, others of the ſame authors not being condemned. In the third, ſome bookes are condemned without a name, but only by a generall rule, that all thoſe are forbidden which beare not the names of the authors, written after the yeere 1519, and many Authors and bookes are condemned which for 300. 200. and 100 yeeres have beene commonly read by the learned in the Church of *Rome*, with the knowledge, and without the contradiction of the Popes of thoſe times; and, amongſt the modernes, ſome of thoſe which were printed in *Italy*, even in *Rome*, with approbation of the *Inquiſition*, and allowed alſo by the Briefes of the Pope himſelfe, are forbidden; as the Annotations of *Eraſmus* upon the New Teſtament: which *Leo* the tenth having read, approved by his Briefe, dated in *Rome* September 10. 1518. But it is a thing conſiderable above all, that under colour of faith and religion, bookes are prohibited and condemned, with the ſame ſeverity, in which the authority of Princes and Temporall Magiſtrates is defended from the uſurpations of the Clegie; and of Councels and Biſhops, from the uſurpations of the Court of *Rome*; in which hypocriſies of tyrannies are manifeſted, by which the people, under pretence of Religion, are deceived. In ſumme, a better myſtery was never found, than to uſe religion to make men inſenſible. That *Inquiſition* went ſo farre, that it made a Catalogue of 62 Printers, and prohibited all bookes printed by them, of what author, art, or *idiome* ſoever; with an addition of more weight; that is, and bookes printed by ſuch Printers who have printed bookes of heretiques; ſo that there ſcarce remained a booke to be read. And for the height of rigour, the prohibition of what booke ſoever contained in that Catalogue, was upon paine of excommunication *latæ ſententiæ*, reſerved to

The annotations of *Eraſmus* upon the New Teſtament, read and approoved by *Leo* 10. are forbidden to be read.

1562 the Pope, deprivation and incapacity of offices and benefices, perpetuall infamy, and other arbitrary punishments. Concerning this severity, remonstrance was made to this Pope *Pius*, who referred the *Index* and all the matter to the Councell, as hath been said.

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Touching the Articles proposed there were divers opinions. *Lodovicus Becatelli*, Archbishop of *Raguſi*, and Friar *Auguſtin Selvago*, Archbishop of *Genua*, thought that no good effect could proceed from handling the matter of books in Councell, yea that it would rather hinder the conclusion of that for wch the Councell is principally assembled. For *Paul* 4 by the counsell of all the *Inquisitors*, and of many famous men, who sent him advice from all parts, made a most compleat catalogue, to which nothing can be added, except some booke come forth within these two yeeres, which deserveth not the labour of a Synod. But he that would allow any that are prohibited in that collection, would shew that they have unadvisedly proceeded in *Rome*, and so would take away all reputation from the *Index* already published, and from the Decree it selfe which they would make; it being a common *maxime*, that new lawes doe remoove estimation more from themselves, than from the old. Besides (said *Becatelli*) there is no need of bookes, the world hath too many already, especially since printing was invented: and it is better to forbid a thousand bookes without cause, than permit one that deserveth prohibition. Neither were it fit the Synod should be troubled with rendring the causes of the prohibitions, making censures or approoving those which are already made in divers places by the Catholikes. For it would be to call for contradiction. It belongeth to a Doctor to give a reason of his saying, a law-maker if he do it, doth diminish his authority, because the subject doth wrestle with reason alleadged, and when hee thinketh hee hath resolved it, he thinketh also that he hath taken all vertue from the precept. Neither is it good to correct or purge any book for the same causes, for feare of making men say that something is omitted that deserved, and something changed that did not deserve correction. Moreover the Synod would incur the displeasure of all that are affectionate to the Books prohibited, and would induce them not to receive the other necessary Decrees, which shall be made. He concluded, that, the *Index* of *Paul* being sufficient, he thought it not fit to take paines in vaine in doing of that anew, which is done already, or undoing that which is done well. Many other reasons were alleaged in confirmation of this opinion, by many Bishops creatures of *Paul* 4, admirers of his wisdome in managing the Ecclesiasticall discipline, who maintained that it was necessary to preserve, yea, to augment the rigour instituted by him, if they would preserve the purity of religion.

The opinion of the Archbishop of Raguſi, and of Genua, concerning the *Index*.

The opinion of *John Thomaſo S. Felicio*.

John Thomaſo S. Felicio, was of a contrary opinion; that the Councell should treate againe of Bookes, as if there had been no precedent prohibition; because that, beeing made by the *Inquisition* of *Rome*, is odious, for the name, to the *Ultramontans*, and besides is so rigid that it cannot be observed; and nothing doth more easily bring a law into disuse, than the impossibility or great difficulty in keeping it, and the great rigour in punishing the transgressours; he said that, indeed, it was necessary to preserve the reputation of that office, but that might be done conveniently enough, by making no

menti-

mention thereof, and by ordaining only things neceſſary, and moderate puniſhments. And therefore his opinion was, that all conſiſted in ſetting downe the manner, and ſpake what himſelfe thought to be the beſt; that is, that the bookes not already cenſured ſhould be divided amongſt the Fathers and Divines of the Councell, and thoſe that were abſent alſo, to be examined and cenſured, and that a great Congregation ſhould be deputed, to judge betweene the cenſure and the booke; and that this alſo ſhould be obſerved in thoſe which are cenſured already, and then all ſhould be propoſed in the generall Congregation, to decree that which was beſt for the publike good. For citing the Authors, he ſaid there were two ſorts of them; ſome ſeparated from the Church, and ſome incorporated in it; of the former no account is to be made, ſeeing that, by their ſeparation, they have, as Saint *Paul* ſaith, condemned themſelves, and their owne workes, ſo that there is no cauſe to heare them; of the others ſome are dead, and ſome alive; of which the later are to be cited and heard, becauſe their good name and honor being in queſtion one cannot proceed againſt their workes, before the hearing of their reaſons. Concerning the dead, whatſoever the publike good doth require may be done, without danger of offending any. Another Biſhop added to this opinion, that the ſame forme of juſtice, uſed towards the Catholikes alive, ſhould be uſed alſo towards thoſe that are dead, becauſe they have kinred and Schollars, who doe participate of the fame or infamy of the dead, and are therefore intereſted, and in caſe there were none ſuch, yet the only memory of the dead cannot be judged, before it be defended. 1562 PIUS 4 FERDINAND ELIZABETH. CHARLES 9.

Some alſo did thinke it was not juſt to condemne the workes of Proteſtants, without hearing them. For howſoever the perſons be condemned by themſelves, yet the lawes doe not permit the declaratory, without citation, though in a notorious fact; and therefore it cannot be pronounced againſt a booke, though it doth notoriouſly containe hereſie. Friar *Gregory*, Generall of the *Heremites*, ſaid, he did not thinke it neceſſary to obſerve ſo many ſubtilities. For the prohibition of a booke, is as the prohibition of a meat, which is not a ſentence againſt it, nor againſt him that hath prepared it, but a precept to him that is to uſe it, made by him who hath the charge of his health; therefore the credit of the Victualer is not in queſtion, but the benefit of the ſicke, who is forbid to eat of a meat that is hurtfull to him, though in it ſelfe, it may be good. So the Synode, as a Phyſitian, ought to forbid that which is hurtfull, or dangerous to the faithfull; wherein none will receive wrong. For howſoever the booke may be good in it ſelfe, yet peradventure it may not agree to the infirmity of the mindes of this age. Many other conſiderations did paſſe, which were finally reſolved into one of theſe.

Concerning the third Article, to invite the heretickes to repentance with promiſe of clemency, and grant of a ſafe conduct, there were divers opinions, even amongſt the Legats themſelves. *Mantua* was for a generall pardon, ſaying, that many would be gained thereby, and that it was a remedy uſed by all Princes, in ſeditions, or rebellions, to pardon thoſe whom they cannot overcome, becauſe, by that meanes, thoſe that are leaſt faulty, doe retire, and the others remaine more weake; and although but few were gained, The Legats and Prelats are divided concerning the generall ſafe conduct.

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or but one only, yet it was to be done, that though none at all could bee gained, yet it would be great gaine to use and shew clemency. *Simoneta* said, that this would be dangerous for the ruine of others, because many are induced to transgresse, when they see it is easie to get a pardon, and that rigour, though it be hard to him that feeleth it, doth keepe many in their duty; that it is sufficient to shew clemency to him that desireth it, but to carry it after him that doth not demaund, or doth refuse it, doth make men more carelesse of themselves; and heresie will be thought to be but a small fault, when men see it is so easily pardoned. In these two opinions the Prelates were divided; and those who did not approve the Safe Conduct, said, it was not given to any in the first Convocation of this Councell, which would have beene done if it had beene necessary or convenient, because the Pope that sate then was most wise, and the Legats the chiefest of the Colledge; that it was given in the second Convocation, because *Maurice* Duke of *Saxony*, and other Protestants did desire it, and the Emperour also in their behalfe: but now it being demaunded by none, *Germany* saying a loud, and protesting that it doth not hold this Councell to be lawfull, a safe Conduct would but give them matter, to make some bad exposition of the Synods meaning. The Spanish Prelats would by no means consent to a generall Safe Conduct, because it would prejudice the *Inquisition* of *Spaine*, in regard, so long as that lasted, every one might professe himselfe to be a Protestant, and make himselfe ready for the voyage, and could not be arrested by that office. The Legats thought the like might happen to the *Inquisition* of *Rome* and *Italy*. All being considered, concerning the *Index*, it seemed sufficient for that present, to make Deputies, and to let those that were interested understand, by some little part of the Decree, that they should be heard, and invite all to the Councell; and, for the safe Conduct, to referre themselves, in regard of the difficulties, to a further consideration.

The resolution of the generall Congregation concerning the *Index*, and Safe-conduct.

While these things were handled, the Popes Nephew, Cardinall *Altemps*, the fift Legat, came to *Trent*, and withall the newes of the Edict of *France* before rehearsed: which put them all into a confusion, that Princes should permit, by publike Decree, those novities which the Councell was then assembled to condemne. The next day *Antonius Miglicius*, Archbishop of *Prague*, Ambassadour for the Emperour, was received in a generall Congregation, and his *Mandate* read. The Archbishop made a long Oration, reserving the residue to Master *Sigismond Tonn*, his Majesties second Ambassador, who was to come. The Synode answered, that they were very glad to see the Emperours Ambassadours, and that they did admit his *Mandate*. The Ambassadour would have preceded the Cardinall *Madruccio*, alleadging the reasons and pretensions of *Don Diego*, in the first Councell; but by the Legats answere, who told him how that businesse was ended, he was satisfied, and sate below.

The Emperors Ambassador is received in Congregation.

The ninth of this moneth *Ferdinandus Martinez Mascarenius*, Ambassadour of *Portugall*, was received, and the Kings letter of credence and *Mandat* read. A Doctor that came with him made a long oration; in which he shewed the benefit which the Church reapeth by Councels, and the necessity of this present, the crosses which it formerly endured, and how the wise-

The Portugall Ambassador is received, and a Doctor, who came with him maketh an Oration.

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dome of Pope *Pius* hath now overcome them. He ſaid the authority of Councels was ſo great, that their Decrees were to be received, as divine Oracles; that the King hoped that the differences of Religion ſhould be decided in that Councell, and the manners of the Clergie directed to Evangelicall ſincerity; that therefore he promiſed all obedience, whereof the Biſhops arrived already, and thoſe who were to come, could give teſtimony; he ſhewed the piety and religion of thoſe Kings, and the paines they have taken to ſubject ſo many Princes to the government of the Apoſtolique Sea; of which heroically pious workes they might expect an imitation in King *Sebaſtian*. He ſet forth, in few words, the Nobility, and vertue of the Ambaſſadour, and finally prayed the Fathers to heare him, when he ſhould ſpeake in the behalfe of the Churches of that Kingdome. The *Speaker* briefly anſwered, that the Synod was well pleaſed with the Kings *Mandate*, and his Oration, and that the piety and religion of his Majeſty, and of his Anceſtors was generally knowne, and their glory conſpicious, for maintaining the Catholike Religion in that Kingdome in theſe turbulent times, and ſpreading of it in places farre remote: for which the Synod did give thankes to GOD, and receive the Kings *Mandate* with due reſpect. 1562. PIVS 4. FERDINAND. II. ABBTH. CHARLES 9.

In the congregation of the eleventh, the other Ambaſſador of the Emperor preſented himſelfe: who was received without much ceremony, becauſe the *Mandat* had bin read before, ſo that there was time to treat of Conciliary matters; whereof ſomething being ſpoken, liberty was given to the Legats to elect Fathers to conſider of the *Index*, and others to frame the Decree, againſt the next Seſſion. For the buſineſſe of the Books, Cenſures, and *Index*, the Legats named the Ambaſſadour of *Hungary*, the Patriarke of *Venice*, foure Arch-biſhops, nine Biſhops, one Abbat, and two Generals. The Emperors ſecond Ambaſſadour is received in Congregation.

The thirteenth the Emperours Ambaſſadours came to the Legats, and made five requeſts; which they left in writing, that they might conſider on them. That the word *Continuation* ſhould not be uſed, becauſe it would make the Proteſtants refuſe the Councell. That the next Seſſion ſhould be deferred, or at the leaſt, matters of ſmall weight handled. That the Confeſſioniſts ſhould not be exaſperated in the beginning, by condemning their bookes. That a large ſafe conduct ſhould be given to the Proteſtants. That whatſoever was handled in the congregations, ſhould be concealed, which hitherto had beene divulged, even to the common people. And having offered all favour and aſſiſtance in the Emperours name, they added, that they had order from his Majeſty, that if they were called by their moſt Reverend Lordſhips, they ſhould give their advice in matters of the Councell, and employ his authority to favour them. The Emperors Ambaſſadors make 5 requeſt to the Legats.

The Legats anſwered the ſeventeenth day, that it being neceſſary to give ſatisfaction to all, as they would not name the *Continuation* at their requeſt, ſo, not to provoke the Spaniards, it was neceſſary to abſtaine from the contrary; that they would ſpend the next Seſſion in generall and light matters, and allow a long time for others; that they would not then condemne the *Auguſtan Confeſſion*; that they would not then ſpeake of the books of the *Confeſſioniſts*, but would make the *Index* in the end of the Councell; that a large ſafe conduct ſhould be given to the Germans, when it was decided whether To whom the Legats anſwer.

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it should be given to them apart, or together with other Nations; that they would take a good course for secrecy, and impart unto them whatsoever they shall handle, being assured of the Emperors good affection and that the Ambassadours are correspondent to the piety and religion of their Master.

The Bishop of five Churches, the Emperors third Ambassadour received in Congregation.

George Droscovitius, Bishop of the five Churches, the Emperors third Ambassadour, who came to *Trent* the moneth before, presented his *Mandate* in the generall Congregation, the foure and twentieth of February, and made an Oration, in which he enlarged himselfe in the praises of the Emperour, saying, that God had given him to these times, to provide against so many miseries; he compared him to *Constantine* in favouring the Church; shewed what paines he had taken for the convocation of the Councell, and that having obtained it, he had before all other Princes sent Ambassadours, two for the Empire, Kingdome of *Bohemia* and *Austria*, and himselfe for the Kingdome of *Hungary*. He presented his *Mandate*, and thanked the Synode for giving him place, fitting the quality of an Ambassadour, before they saw the purpose of his ambassage. The Decree was made in generall termes, and read, as well to satisfie the Imperialists, as because the matter was not well digested.

Which being done, *Mantua* gave a modest and grave admonition to the Fathers, to keepe secret what was handled in the Congregations, as well to avoyd opposition, as because things are held in greater reputation and reverence when they are not knowne to all. Besides, that it would be dishonorable for that assembly, if any thing were published, (as might happen often) without convenient circumspection, and fit seemelinesse. He added that there was no Colledge or Councell, Secular or Ecclesiasticall, small or great, which had not its secrets, to be observed by oath, or upon penalties: but that Synod, consisting of wise men, ought not to be tryed but by the bonds of their owne judgement; that, in saying thus, he spake no more to the Fathers, than to his colleagues, and to himselfe, every one being obliged to admonish himselfe in every thing that is seemely. Then he spake of the difficulty of the safe conduct, and exhorted every one to thinke exactly of it, saying, that if it could not be determined before the Session, an addition should be made to the Decree, that it might be granted in Congregation. This was agreed on amongst the Legats, because having discovered the difficulty, especially in regard of the *Inquisitions* of *Rome* and *Spaine*, they had written whatsoever had been spoken as well concerning this point, as the *Index*, and expected an answere from *Rome*.

Where the Pope was in a rage for the Edict of *France*, and impatient because they did nothing in the Councell. He said it was not good that the Bishops should be long out of their residency, especially to handle superficially points already decided in other Councels; he had formerly suspected the Spanish Prelates, and did it then much more, because he thought their ill affection was increased, for giving the King leave to sell foure hundred thousand crownes of yeerely rent of the Ecclesiasticall revenues for tenne yeeres, and thirty thousand crownes of the revenues of lands held in vassalage of the Church: which seemed to be a great diminution of the greatnesse of the Church of *Spaine*.

Lewis

Lewis S. Galais, Lord of *Lanſac*, ſent out of *France* expreſly to give to the Pope an account of the State of the Kingdome, came to *Rome*, and ſaid, that the King ſeeing the great care of his Holineſſe concerning the Councell, had elected for his Ambaſſadour to that place *Monſieur di Candalle*, and cauſed foure and twenty Biſhops to goe thither, of whom hee gave him a liſt. He related what had happened in *France* ſince the death of *Francis*, and the neceſſity to proceed with moderation, as well becauſe their forces were not ſufficient to give rigour, as alſo becauſe (if they had beene) they ſhould have embrewed themſelves in the blood of the greateſt of the Nobility, which would have aliened the whole kingdome, and brought all matters to a worſe eſtate; and that the King had no hope but in the Councell, in which all Nations, even the Germans themſelves, would aſſiſt. For Religion being eſtabliſhed in *Germany*, he did not doubt to do the like in *France*, but thought it impoſſible to make thoſe who will not be preſent in the Councell, to accept the Decrees thereof; and that the French Proteſtants cannot be ſeparated from the Dutch. Therefore he entreated his Holineſſe, that, to give them ſatisfaction, only for the ſecurity of the place and forme of proceeding, he would be pleaſed to yeeld unto them, in regard of the great benefite which would enſue. The Pope anſwered, firſt concerning the Councell, that, from the beginning of his Papacy, he was reſolved to call it; that he hath beene hindered by the Emperour and King of *Spaine*, both which notwithſtanding have at this preſent Ambaſſadors and Prelates there; that none remaine but the Frenchmen, who have moſt need of the Councell; that he hath omitted nothing to invite the Dutch Proteſtants, even with the indignity of that Sea; that hee will continue, and will give them what ſecurity they can require; that he thought it not honeſt to ſubject the Councell to their diſcretion, and that, if they refuſed to come, eſpecially having beene invited, they ought to proceed without them. But, for the things done in *France*, he briefly ſaid he could not commend them, and prayed God to pardon the Authors of ſo great inconveniences.

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An Ambaſſador is ſent out of France to give the Pope an account of the ſtate of the Kingdome.

To whom the Pope anſwereth.

And the Pope would have paſſed thoſe bounds, if he had knowne what was in doing in *France* at that ſame time, when *Lanſac* made relation unto him of what had beene done. For, the fourteenth of February, the Queene gave order in *S. German*, that the Biſhops of *Valence* and of *Seez*, and the Divines, *Butiglier*, *Eſpenſeus*, and *Picorellus*, ſhould conſent what might be done for a beginning of concord; who propoſed the points following. That it ſhould be abſolutely forbidden to make an image of the holy Trinity, or of any perſon not named in the Martyrologies, accepted by the Church. That the images ſhould not have any crownes or ornaments put upon them, or vowes or oblations made unto them, nor ſhould be carried in proceſſion except the ſigne of the holy Croſſe; wherewith the Proteſtants ſeemed to reſt content, howſoever concerning the ſigne of the Croſſe they made ſome reſiſtance, ſaying that *Conſtantine* was the firſt which did propoſe it to be worſhipped, contrary to the uſe of the ancient Church. But *Nicholaus Magliardus*, Deane of the *Sorbon*, together with other Divines, did oppoſe, and defend the adoration of images, though he confeſſed there were many abuſes in it. In the ſame moneth the King of *Navar* wrote to the Elector *Palatine*, the

A treaty in France about a concord in Religion.

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the Duke of *Wittenberg*, and *Philip* of *Hassia*, that howsoever they could not agree in the Colloquie of *Poisi*, nor in this last about images, yet he would still labour to reforme religion, not so, as to trouble the publike quiet of the Kingdome, but bringing it in by little and little.

The King of *Navarre* writeth to the Protestant Princes of *Germany*.

A Parly betweene the *Guisards* and the Duke of *Wittenberg*.

At the same time the Duke of *Guise* and Cardinall of *Loraine* went to *Taverne*, a Castle belonging to the Bishop of *Strasburg*, and there met *Christopher* Duke of *Wittenberg*, with some Ministers of the *Augustane Confession*. They were together three dayes; and those of *Guise* expounded to the Duke what favour was done to the *Augustan Confession* in the Colloquie of *Poisi*, and the difficulty which the Reformatists of *France* did make in accepting it, desiring that *Germany* would joyne with them to hinder the doctrine of *Zuinglius*: not that the amendment of religion (which they much desired) might be delayed, but that a pestiferous poison might not take roote, not onely in *France*, but in *Germany* also. This they did, that, the warre now approaching, they might more easily have assistance, or, at the least, that it might be denied to their enemies. This Parly begot great suspicion in *Rome*, *Trent*, and *France*. The Cardinall and his adherents justified themselves, that it was for the good of Christendome, to have the favour of the Protestants of *Germany*, against the *Hugonots* of *France*. And there was a fame, that the Cardinall did truely desire an union in religion with *Germany*, and that, as he detested the *Confession* of *Geneva*, so he inclined to that of *Ausburg*, and desired to see it planted in *France*. It is certanie that, after the Councel of *Trent* was ended, he said he had formerly beleeved that *Confession*, but that afterwards he was satisfied with the determination of the Councell, and thought that all good Christians ought to doe the like. Concerning the Sermons publikely made in *France*, though there were seditions in many places, which did hinder the increase of the Reformatists, yet there were then 2150 assemblies, which were called Churches.

2150 reformed Churches in *France*.

The Session *February* 26.

The six and twentieth of February being come, the Session was held in *Trent*. *Antonius Helius*, Patriarke of Jerusalem, said Masse, and *Antonius Coccus*, Archbishop of *Corfu*, made the Oration. When the Masse was ended, the *Mandats* of Princes being to be read, there grew a question between the Ambassadors of *Hungary* and *Portugal*, each pretending that his should first be read, as of the more eminent King: There was no difficulty in the Precedence of the Ambassadors themselves, because that of *Portugal*, as a secular, sate at the right side of the Temple, and the other, as an Ecclesiastike, at the left. The Legats having consulted hereof, said, that the *Mandats* should be read in the order as they were presented, not according to the dignity of the Princes. The Popes briefe, referring the matter of the *Index* to the Councell, was read also. This *Index* hath beene made in *Rome* by *Paul* the fourth, as hath been said, with which if the Councel had medled, it might have seemed to chalenge superiority aboue the Pope. Therfore they thought fit that the Pope should voluntarily give leave, to prevent that prejudice. The Masse Patriarke read the Decree, the substance whereof was. That the Synod, meaning to restore the Catholike doctrine to its purity, and correct maners, in regard the number of pernicious and suspected bookes was increased, because the censures made in divers Provinces, and *Rome*, have done no

A question betweene the Ambassadors of *Portugal* and *Hungary*, about the precedency of their Masters.

The Decree concerning the *Index*.

good,

good, hath determined to depute ſome Father to conſider hereof, and to re- 1562.
late to the Synode, in time convenient, what they thinke fit to have done PIVS 4.
more, to ſeparate the cockle from the good corne, to remoove all ſcruples FERDINAND.
out of mens mindes, and to take away all cauſe of complaints; ordaining ELIZABETH.
that this ſhould be publiſhed with that Decree, that if any have intereſt in CHARLES 9.
the buſineſſe of the books, and cenſures, or any other to be handled in Councell, he may know and be aſſured that he ſhall be courteouſly heard. And becauſe the Synod doth heartily deſire the peace of the Church, that all may acknowledge their common mother, it doth invite all who doe not communicate with her, to reconciliation and concord, and to come to *Trent*, where they ſhall be imbraced with all offices of charity; and further, hath decreed that a ſafe conduct may be granted in a generall Congregation, and ſhall be of the ſame force and ſtrength, as if it had beene granted in publike Seſſion. The Decree being read, the title whereof was: *Of the holy Ecumenicall, generall Synod, lawfully aſſembled in* CHRIST, the Arch-biſhop of *Granata* required that theſe words *(repreſenting the univerſall Church)* ſhould be added, as hath been obſerved in all the later Councels. *Antonius Peragues*, Arch-biſhop of *Caglieri*, made the ſame requeſt; and theſe two were followed by almoſt all the Spaniſh Prelates, deſiring that his requeſt might be noted in the acts. No anſwer was made, but, for concluſion, the next Seſſion was appointed to be the 14 of May.

The title of the Councell is queſtioned.

The Decree was printed, not only becauſe it was the cuſtome, but becauſe it was made of purpoſe to be publiſhed to all, and it was cenſured by all ſorts of perſons. It was demanded how the Synode did call thoſe, who were intereſted in the things which were to be handled in the Councell, if they were not knowne; and ſaid that formerly all things were handled beſides expectation, and who could propheſie what the Legats would propoſe, becauſe they knew not themſelves, ſtill expecting Commiſſions from *Rome*. Thoſe who were intereſted in any book, how could they know that any thing would be ſpoken againſt? The generality of the citation, and incertainty of the cauſe might induce every one to go to *Trent*, becauſe every one hath intereſt in ſome particular, which might perhaps be treated on. It was concluded generally that they were called in ſhew, and excluded in deed. Notwithſtanding, theſe things which they could not praiſe, they commended the ingenuous confeſſion of the Synod, that the former prohibitions had begot ſcruples in mens mindes, and given cauſe of complaints. In *Germany* that part was ſuſpected, where the Synod giveth authority to it ſelfe, to give a ſafe-conduct in a generall Congregation. For they underſtood not any difference, in regard the ſame perſons met in both aſſemblies, but only that they did were *Miters* in the Seſſions, and *Caps* in the Congregations; nor why, if the ſafe-conduct could not then be granted, they could not make a Seſſion expreſly for it. In ſumme, they thought that there was ſome great miſtery covered in it, howſoever the moſt underſtanding men did beleeve that the Synod was aſſured that no Proteſtant would come to *Trent*, with any ſafe-conduct whatſoever, except it were by force, as it happened in the yeare 1552, becauſe of the reſolution of *Charles*; a thing which could no more be put in practiſe.

The Decree is cenſured.

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The Popes answere to the Legates.

The Pope wrote backe to the Legats, that the heretikes should not be invited to repentance with promise of pardon; because, it having been done by *Julius*, and, another time, by *Paul* the fourth, no good issue came of it. Amongst the heretiques, those who are in a place of liberty will not accept it, and those who remaine where the *Inquisition* hath power, if they feare to be discovered, will receive the pardon fainedly to secure themselves of that which is past, with purpose to do worse more warily. For the Safe Conduct, he was content it should bee given to all who are not under the *Inquisition*; but so, as that the exception should not be expressed; in regard that when *Julius* granted his pardon, except those only who were subject to the Inquisitions of *Spaine* and *Portugall*, much was spoken against it, and it passed with small reputation, as if the Pope had not the same power over that *Inquisition*, as over others. But for the manner of expressing it, hee did referre it to the Synode. For the forme, he commended that which the Councell gave to *Germany* in the yeere 1552, in regard that was seene already, and that so many Protestants came that yeere to *Trent*, upon that security. Concerning the *Index*, he ordained that the deputies should proceed, untill an occasion were offered to make a publike Decree without the opposition of any Prince.

The answere being come, the second of March and the day following Congregations were held, to resolve whether the generall pardon ought to be published, and a Safe Conduct granted, and what forme was to be given to the one and the other; and the fourth day, after long disputations, all was concluded, the Legats having made the determination fall where they aymed, without interesting the Popes authority. To invite the heretikes to repentance was omitted, for the reasons alleadged in *Rome*. It was much disputed whether a Safe Conduct was to be given by the name of the French, English, and Scottish-men; and some spake of the Greekes, and other Nations of the East. It was presently seene that those poore men, afflicted in servitude, could not, without danger and assistance of money, thinke of Councels; and some said that, there being a division of the Protestants, it was good to let them alone, and not to name them, alleadging that it was dangerous to moove in a body ill humours which were at quiet. To give a Safe Conduct to English men which neither they, nor any of them did require, would be a great indignity. They were content it should be given to the Scots, because the Queene would demand it, but so, as that the demaund should first be made. For *France*, there was a doubt made whether the Kings Counsell would take it well or not, because it would bee thought to bee a declaration that the King had rebels. Of *Germany* none could doubt, because it had beene formerly graunted to them; and if it were graunted to that Nation alone, it would seeme that the others were abandoned. Many thought fitte to grant it absolutely to all Nations; but the Spaniards did oppose, and were favoured by the Legats, and others who knew the Popes minde, to the great indignation of those, who thought that an inference might be made that the Councell was not above the *Inquisition* of *Spaine*. In the ende all difficulties were resolved, and the Decree framed with three parts. In the first a Safe Conduct was given to the *Germans*,

mans, just word by word, as it was made in the yeere 1552. In the second it was said; that the Synod doth give Safe Conduct in the same forme and words as it was given to the Dutch-men, to every one who hath not communion of faith with her, of every Nation, Province, City and place where any thing is preached, taught, or beleeved, contrary to that which is beleeved in the Church of *Rome*. In the third it was said, that although all nations doe not seeme to be comprehended in that extention, which hath beene done for certaine respects, yet those who repent, and turne to the bosome of the Church, are not excluded of what nation soever they be; which the Synod desireth should be published to all. But because it must be maturely consulted on, in what forme the Safe Conduct must be given them, they have thought fit to defer that point untill another time, thinking it sufficient, for the present to provide for the servitude of those who have publikely abandoned the doctrine of the Church. The Decree was presently printed, as was fit, it being made only to be published. Yet the Synod did not keepe promise, to consult of the forme of the Safe Conduct, to be given to those of the third kinde, and in printing of the body of the Councell, this third part was left out, leaving it to the speculation of the world, why they did promise to provide for those also, and publish it in print, with a desire to have all men know it, and afterwards not to doe it, and labour to conceale that, which then they did desire to manifest. 1562.

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The Decree of the Safe-conduct

The Emperours Ambassadours solicited the Legats to make the reformation, and to write to the Protestants, exhorting them to come to the Councell, as was done to the Bohemians, in the time of the Councel of *Basil*. The Legats answered that, for these fourty yeeres, all, both Prince and people, have desired reformation, yet never any part thereof was handled, but themselves did cresse and hinder it, so that they have beene constrained to abandon the worke; that now they will endeavour to make a generall reformation of all Christendome but for one particularly for the Clergie of *Germany*, which doth most need it, and which the Emperour doth principally expect, they saw not how they could make it, seeing that the Dutch Prelats were not come to the Councell; and for writing to the Protestants, in regard they have answered the Popes *Nuncij* with such exorbitant unseemelinesse, they could not but expect that they would make a worse answere to the Letters of the Synod.

The eleventh of March the Legats proposed twelve Articles in the generall Congregation, to bee studied and discussed in the next Congregations. 12 Articles to be discussed.

1. What provision might be made, that Bishops and other Curates may reside in their Churches, without being absent, but for causes just, honest, necessary and profitable for the Catholike Church.
2. Whether it be expedient, that none be ordained but unto a title of some Benefice, in regard many deceits are discovered which arise from ordination to a title of the Patrimony.
3. That nothing be received for Ordination, either by the Ordainers, or their Ministers, or Notaries.
4. Whether it ought to be granted to the Prelates, that in the Churches

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where there are no daily diſtributions, or ſo ſmall as that they are not eſteemed, they may convert one of the Prebends to that uſe.

5. Whether great Pariſhes which have need of many Prieſts, ought to have many titles alſo.

6. Whether ſmall Benefices with cure, which have not a competent revenue for the Prieſt, ought to be reformed, making one of many.

7. What proviſion is to be made concerning Curates ignorant, and of a bad life, whether it be fit to give them coadjutors, or able Vicars, aſſigning them part of the revenues of the Benefice.

8. Whether power ought to be given to the Ordinary to incorporate into the mother Churches, ruinated Chappels, which, for poverty cannot be rebuilt.

9. Whether it ought to be granted to the Ordinary that he may viſite Benifices held in *Commenda*, though they be regular.

10. Whether ſeeret marriages, which ſhall be contracted hereafter, ought to be made voyd.

11. What conditions ought to be aſſigned, that a marriage may not bee eſteemed ſecret, but contracted in the face of the Church.

12. What proviſion ought to be made concerning the great abuſes, cauſed by the Pardoners.

One Article more concerning clandeſtin mariages.

After theſe the point following was given to the Divines to be ſtudied, and diſcuſſed in a Congregation appointed for that only.

Whether, as *Euchariſts*, and the Lateran Councell have declared, that clandeſtine, or ſecret marriages are reputed not good, both before the Judge, and in eſtimation of the Church, ſo the Councell may declare that they are abſolutely void, and that ſecrecy ought to be put amongſt the impediments; which do make a *Nullity* in the marriage. In the meane ſpace, it being diſcovered that the Proteſtants of *Germany* did treate a league, and make ſome levies of Souldiers, the Emperour wrote to *Trent*, and to the Pope alſo, that the Councell might ſurceaſe, untill it did appeare whither the motion did tend. For this cauſe, and becauſe of holy dayes the reſidue of this moneth was ſpent in ceremonies only.

The Proteſtants of Germany treat a league, and raiſe Souldiers.

The Spaniſh Ambaſſador is received, and an oration is made in his name.

The ſixteenth day *Franciſcus Ferdinandus d'Avolas*, Marquis of *Peſcara*, Ambaſſadour of the Catholique King, was received in a generall Congregation; and, his *Mandate* being read; an Oration was made on his name, the ſubſtance whereof was; That the Councell being the only remedy for the evils of the Church, *Pius* the fourth hath, upon good reaſon, thought it neceſſary in theſe times; in which *Philip*, King of *Spaine*, deſired to have beene perſonally preſent, to give example to other Princes: but, becauſe he cannot, he hath ſent the Marquis, to aſſiſt and favour it as much as poſſibly he can, knowing that howſoever the Church is defended by God, yet ſometimes it hath need of the aſſiſtance of man. That the Ambaſſadour doth not thinke it needfull to exhort the Synode, knowing their incredible and almoſt divine wiſedome; that he ſeeth good foundations laid already, and the things now treated on, managed with Art, which doth mitigate, and exaſperate; ſo that hoping that their future actions will be correſpondent, he will onely promiſe all good offices, endeavours and favours

vours from the King. The *Speaker* answered, in the Councels name, that the comming of an Ambassadour from so great a King, had given courage and hope of the Synod, that the remedies, which it shall use for the evils of Christendome, will be profitable, therefore it doth imbrace his Majesty with all good affection, thanketh him, offereth to requite his merits, and to doe what soever it can for his honour, and doth, as it ought, receive the *Mandate*. In the Congregation of the 18, the Ambassadour of *Cosmo*, Duke of *Florence* and *Siena*, was received; who, after his *Mandat* was read, made an Oration; in which he shewed at large the affinity of his Duke with the Pope, exhorted the Fathers to purge the Church, and declare the light of the truth, taught by the Apostles, offering all possible assistance from his Duke, as hee had done before to the Pope, for preservation of the Majesty of the Sea of *Rome*. The *Speaker* thanked him in the Synods name; and, having made a reverent commemoration of *Leo* the tenth, and *Clement* the seventh, added that they were assembled only for this end, and thought of nothing but of composing all dissention, chasing away the darkenesse of ignorance, and manifesting the truth.

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The answer of the speaker.

The Ambassador of *Florence* is received, and maketh an Oration.

Melchior Lusi, Ambassadour of the Catholike *Suisses*, and *Joachimus Propostus*, an Abbat, in the name of the Abbats, and other Ecclesiastiques of that Nation, were received in the Congregation of the 20. In whose name an Oration was made to this purpose. That the Consuls of the 7 Cantons, in regard of their filiall duty towards the Church, have sent Ambassadours to assist in the Councell, and to promise obedience, and to make knowne to all, that they doe not yeeld to any in their desire to assist the Sea of *Rome*, as formerly they have, in the times of *Julius* 2, and *Leo* 10, as also when they fought with the neighbour *Cantons*, for the defence of Religion, slaying *Zuinglius*, the most wicked enemy the Church had, whose body they sought amongst the dead, and burnt it to testifie that they ought to have irreconciliable war with the other *Cantons*, so long as they continue to be out of the Church, in regard they are situated at the confines of *Italy*, as a Castle to resist the Northerne evill, that it cannot penetrate within the bowels of that Countrey. The Synode answered by the *Speaker*, that the piety and good deeds of the *Helvetians* towards the Apostolique Sea, where many and great, but no obedience or office more opportune than the Ambassage sent, and the offer made to the Synod; that they were glad of the comming of the Ambassadors, and had, beside the protection of the Emperour, Kings, and Princes, much confidence in that famous Nation.

The Ambassadors of the Catholicke Suisses are received.

In the Congregation of the sixth of Aprill, *Andreas Dudicius*, Bishop of *Tinia*, and *Johannes Collosarinus*, of *Canadia*, Orators of the Clergie of *Hungary*, were received. The first made an Oration, and said; that the Archbishop of *Strigonium*, the Bishops and Clergie had received great joy for three things; for the assumption of *Pius* 4 to the Papacy, for the convocation of the Councell of *Trent*, and for the deputation of the Apostolicall Legats to preside in it. He shewed the observance of the Prelates towards the Catholique Church, and called the Cardinall of *Varmia* for a witnesse thereof, who did know them, and conversed with them; he expounded the devotion of the Hungarians, and the service they doe to all Christendome, in

The Orators of the Clergy of Hungary are received.

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maintaining warre againſt the Turkes, and the particular diligence of the Biſhops, in oppoſing the plots of the heretiques. He related the common deſire of them all to be preſent in the Councell, if their preſence had not beene neceſſary at home, to defend their Caſtles againſt the Turkes, who are at their confines, and to keepe watch againſt the heretiques; ſo that being forced to performe this duty by them their Orators, they recommended themſelves to the protection of the Councell, offering to receive and obſerve whatſoever ſhould be decreed by it. The Secretary anſwered in the Councels name, that the Synod was aſſured of the joy which the *Hungarians* conceived for the celebration of the Generall Councell; that they ought to pray God for the happy iſſue of it; that they deſired to have ſeene the Prelates in perſon, but ſeeing they are hindered by the cauſes prooved by the Cardinall of *Varmia*, it doth accept their excuſe, hoping that Chriſtian Religion will receive profit by their preſence in their owne Churches; and the rather becauſe they have recommended their actions to them the Orators, being honeſt and religious Fathers, and therefore that they doe embrace both them and their *Mandates*.

The Article of reſidence is ſet on foot againe, and cauſeth a contention.

In the Congregations daily held from the ſeventh day untill the 18, the Fathers ſpake of the foure firſt Articles, but very confuſedly of the firſt, concerning Reſidence. Of thoſe who aſſiſted in the firſt Councell, when this point was handled, which was done with ſome difference, or rather controverſie, there were but five Biſhops in this, and yet, at the firſt propoſing hereof, they preſently divided themſelves into parts, as remembring the ancient contention; which hapned in no other queſtion, neither at that time, nor in the time of *Julius*, nor at this preſent. Some ſay the cauſe was, for that the other diſcuſſions, being theologicall, were not well underſtood, and were handled ſpeculatively by the learned, without any paſſion but of hatred againſt the Proteſtants, who did trouble them, by ſetting on foot thoſe queſtions. But this touched the Prelates in their owne perſons. The Courtiers were moved with ambition, or obliged to follow that opinion, which was moſt commodious for their Patrons. Others were carryed away with envy, who not hoping to raiſe themſelves to that height in which the courtiers were, deſired to pull them lower, and ſo to become equall. In this Article every one laboured according to his paſſion, and kept a ſtrict account of his owne voyce delivered in the Congregations, and of all the voyces of others, which were any way remarkeable. Of this number 34 came into my hands, in that forme as they were delivered, and of the others I have underſtood the concluſion only: but here nothing is to be related but that which is of note.

The Suffarage of the Patriark of *Jeruſalem* concerning Reſidence

The Patriark of *Jeruſalem* ſaid, That this Article hath been handled, and diſcuſſed in the firſt Councell, and concluded, that, to cauſe reſidence, there are two proviſions: One, to conſtitute puniſhments for thoſe who doe not reſide; another, to remoove the impediments which doe hinder reſidency. The firſt was fully ordered in the ſixt Seſſion, neither can any thing be added, in regard the loſſe of halfe the revenues is a very great pecuniary puniſhment, than which a greater cannot be impoſed, without making the Biſhops beggars. If the contumacy be exceſſive, there can bee no greater puniſh-

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ment, except deprivation; which requiring one to execute it, which must needs be the Pope, in regard the ancient use of the Church was, to reserve to that Sea the hearing and determining, of the causes of Bishops, that sixt Session referred it to his Holinesse to finde a remedy, either by meanes of a new provision, or otherwise, and bound the Metropolitane to advise him of the absence. For the second they beganne to make provision, and, in that, and other Sessions, many Decrees were made, to take away many exemptions, which hindered the Bishops to exercise their charge. Therefore it now remaineth only to continue, and to remoove the residue of the impediments, electing a certaine number of Father, as then was done, to make collection of them, that they may be proposed, and provided for. 1562 PIUS 4 FERDINAND ELIZABETH. CHARLES 9.

The Archbishop of *Granata* added, that a more potent and effectuall remedy was proposed in that Councell; that is, that the obligation of Residence was by the Law of God, which was handled and examined ten moneths together; and that if that Councell had not been interrupted, it would have beene decided as a necessary, yea, as a principall Article of the doctrine of the Church, and was then not onely discussed, but the reasons used by divers were put in print also, so that the matter is prepared and digested, and nothing now remaineth, but to give it perfection. When it shall be determined that residency is *de jure Divino*, all hinderances will cease of themselves; the Bishops understanding their duty, will think on their owne conscience; they will not be reputed hirelings, but Pastors, who knowing that the flock is given to them by God, to whom they must make an account, without laying the fault on others, and being assured that dispensations will neither save, nor helpe them, they will apply themselves to performe their duty. And he proceeded to prove, with many authorities of the New and Old Testament, and exposition of the Fathers, that this was the Catholike truth. This opinion was approoved by the major part of the Congregation, the maintainers whereof laboured to bring authorities and reasons. The suffrage of the Arc bishop of *Granata*. It approved by the major part.

Others did reject it, and said it was new, never defended, neither by antiquity, nor by this age before Cardinall *Cajetan*, who set the question on foot, and maintained that part, which notwithstanding he did abandon in his old age, because he tooke a Bishopricke, and did never reside; that the Church hath ever held, that the Pope might dispense; that Non-residents have alwayes beene punished, and reprehended as transgressors of the Canons only, and not of the Law of God; that, indeed, it was deputed in the first Councel, but the disputation was held to be so dangerous by the Legats, men of great wisedome, that they did cunningly cause it to be buried in silence; that this example ought to be followed, and that the bookes which have beene written since, have given great scandall to the world, and made knowne, that the disputation proceeded from partiality. For the authorities of the Scripture and Fathers, they are only exhortations to perfection, neither is there any substantiall proofe but out of the Canons, which are Ecclesiasticall lawes. And rejected by others.

Some held opinion that there was neither place, nor time, nor opportunity to handle that question, & that no good could come by the determinati-

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on of it, but danger of many inconveniences; that the Councell was assembled to extirpate heresies, not to make Schisme among the Catholiques, which would happen by condemning an opinion, followed, if not by the greater part, yet by one halfe at the least; that the authours of that opinion have not invented it for truths sake, but the more to urge men to reside, with small ground of reason, in regard that the Lawes of God are not more diligently observed than the Lawes of the Church; that the precept for keeping of Lent is more strictly observed, that those of the Decalogue; that if to confesse and communicate at Easter were commanded by God, more would not doe it than now doe; that to say Masse with *Copes* is an Ecclesiasticall law, and yet no man doth transgresse it; he that doth not obey the penall commands of the Canons, will transgresse much more when he feareth only the Justice of God: neither will any Bishop be mooved with that determination, but it will give occasion to plot rebellions against the Apostolike Sea, to restraine the Popes authority, and (as some have been heard to whisper) to depresse the Court of *Rome*; that that was the ornament of the Clergie, which is respected in other places, only in regard of it; that if it should be depressed, the Church would every where be lesse esteemed; and therefore that it was not fit to handle such a businesse, without imparting it to his Holinesse and Colledge of Cardinals, to whom it doth principally belong.

The Lawes of the Pope are more strictly observed than the Lawes of God.

The Suffrage of *Paulus Iovius*, Bishop of Nocera.

The opinion of *Paulus Jovius*, Bishop of *Nocera*, is not to be omitted; who said in substance. That certainely the Councel was assembled to cure a great wound, which is the deformation of the Church, the cause whereof, as all are perswaded, is the absence of the Prelates from their Churches; which being affirmed by all, is perhaps not sufficiently considered by any. But it is not the part of a wise Physitian to take away the cause before he be well assured that the removing of it will not cause greater diseases. If the absence of Prelats hath been the cause of the corruptions, there will be lesse deformation in those Churches where they have resided. The Popes, for these hundred yeeres, have continually sate in *Rome*, and used all diligence to instruct the people; yet we doe not see that that city is better governed than others. The great capitall Cities of Kingdomes are most out of order, where the Prelates have alwayes resided; on the contrary, some poor cities, which have not scene a Bishop in an hundred yeeres, are lesse corrupted; that amongst the ancient Prelats here present, who have continually resided in their Churches, of which number there are some, nor one can shew that his Dioces is better than the next, which have continued without a Bishop. If any say they are a flocke without a shepherd; let him consider that no Bishops only, but Parish Priests also have cure of soules, and that there are mountaines which having never seene Bishops, may be a Paterne to Episcopall Cities. That the zeale and care of the Fathers of the first Councell is to be commended, and imitated, who; by penalties, have incited the Prelats to remaine in their own Churches, and begun to remoove the impediments which did hinder them; but they were deceived if they did hope that this residency would be a sufficient reformation; yea, they ought to feare, that as residency is now required, so posterity, seeing the inconveniences that arise from thence, will desire

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their abſence. That they ought not to make ſuch ſtrong bonds as cannot in time of need be looſed, ſuch as *Jus Divinum* would be, which they now begin to alleadge, 1400 yeeres after CHRIST. Where there is a pernicious Biſhop, as was that of *Collen*, he will defend himſelfe by this doctrine, in not obeying the Pope, when he ſhall cite him to give an account of his actions, or keepe him farre off, that he may not cheriſh the evill. He added, that he ſaw that the Prelates who were of the contrary opinion had a good zeale, but did beleeve alſo that ſome of them would be content to make uſe of it, to withdraw themſelves from the Popes obediences, which the ſtricter it is, the more it dot hold the Church united. He put them in minde alſo, that whatſoever they doe herein, will turne to the favour of Pariſh Prieſts alſo, to withdraw themſelves from obedience to their Biſhops. For the Article being thus expounded, they will make uſe of it, and ſay, that the Biſhop cannot remoove them from their Churches, nor reſtraine their authority by reſervations, and, being Paſtors immediatly ſent by God, they will pretend that the flocke doth more belong to them than to the Biſhop, and no anſwer can be made againſt it. And as hitherto the government of the Church hath been preſerved by meanes of the *Hierarchy*, ſo this will cauſe a *Popularity*, and an *Anarchy*, which will deſtroy it.

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John Baptiſta Bernard, Biſhop of *Ajace*, who though he beleeved that reſidency was *de jure divino*, yet thought it not fit to ſpeake of that queſtion, delivered a ſingular ſpeech, ſaying; That, not aiming to eſtabliſh one opinion more than another, but onely ſo to enforce reſidency, as that it may be really executed, he thought it vaine to declare from whence the obligation came, or whatſoever elſe, and that it was ſufficient onely to remoove the cauſe of abſence; which is, that Biſhops doe buſie themſelves in the Courts of Princes, and in the affaires of the world, being Judges, Chancellors, Secretaries, Counſellors, Treaſurers; and there are but few offices of State into which ſome Biſhop hath not inſinuated himſelfe. This is forbidden by S. *Paul*, who thought it neceſſary that a ſouldier of the Church ſhould abſtaine from ſecular employments. Let Gods command be executed, and them forbidden to take any charge, office, or degree, ordinary or extraordinary, in the affaires of the world; and then there being no cauſe for them to remaine at Court, they will goe to their reſidency, of their owne accord, without command or penalty, and will not have any occaſion to depart from thence. In concluſion, he deſired that the Councell would conſtitute, that it ſhould not be lawfull for Biſhops or others, who have cure of ſoules, to exerciſe any ſecular office or charge.

The ſuffrage of *John Baptiſta*, Bernard Biſhop of *Ajace*.

The Biſhop of five Churches, the Emperours Ambaſſadour, oppoſed and ſaid, that if the words of S. *Paul* were to be underſtood according to the ſenſe which was given them, the whole Church was to be condemned, and all Princes, ſince the yeere 800, untill now, for that for which they principally deſerve to be commended, theſe in giving, and thoſe in accepting temporall Juriſdictions, which alſo have beene exerciſed by the Popes, and by Biſhops placed in the Catalogue of Saints. The beſt Emperours, Kings of *France*, *Spaine*, *England*, and *Hungary* have ever had their Counſels full of Prelates, all which muſt be condemned, if Gods precept doe forbid them to exerciſe

Is oppoſed by the Biſhop of five Churches, the Emperors Ambaſſador.

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exerciſe thoſe charges. He that thinketh *Paul* his command doth comprehend Eccleſiaſticall perſons only, is deceived: For it is directed to all faithfull Chriſtians, who are the Souldiers of Chriſt, and inferreth, that as the worldly ſouldier doth not buſie himſelfe in the Arts by which life is maintained, becauſe they are repugnant to his profeſſion, ſo the Souldier of Chriſt, that is, every Chriſtian, ought to abſtaine from thoſe things which are repugnant to Chriſtian profeſſion, which are ſinnes only; but whatſoever may be done without ſinne, is lawfull for every one. The Prelates that ſerve in thoſe affaires, cannot be reprehended, except it be ſaid that they are ſinnes. The greatneſſe of the Church, and the eſteeme the world maketh thereof, proceedeth moſt from Eccleſiaſticall dignities, placed in perſons of Nobility and of great blood, and from Prelates exerciſed in charges of importance; which if they ſhould be incompatible to the Clergie, no perſon nobly deſcended would enter into that order, no Prelate would be eſteemed, and the Church would conſiſt only of people baſely borne, and living baſely. But, on the contrary, the good Doctors have ever maintained, that thoſe Statutes are againſt Eccleſiaſticall liberty, which exclude from publique adminiſtrations Eccleſiaſticall perſons, to whom they belong by right of birth; as alſo the prohibition that publike charges cannot be given to Prieſts. This was heard with applauſe of all the Prelates, even of thoſe who thought that reſidence was *de jure Divino*; ſo potent are the affections of men, that ſometimes they ſuffer them not to diſcerne contradictions.

Who gaineth an applauſe.

A briefe diſcourſe of the Author concerning ordination to the title of the Patrimony.

Of the other Articles a light diſcuſſion only was made; yet ſomething was ſaid worth the noting. For the ſecond, for prohibiting ordinations to the title of the Patrimony, it is certaine, that ſince the Church was conſtituted and eſtabliſhed, and neceſſary miniſteries deputed in it; no man was ordained, in the good times of it, but unto ſome proper miniſtery. But this good uſe was quickly turned into an abuſe. For in regard of the exemptions of divers, and of other worldly reſpects, and becauſe the Biſhops deſired to have a great Clergie, they ordained whoſoever came unto them for it. Therefore this ſort of ordination was forbidden in the Councell of *Chalcedon*, which was then called abſolute, or looſe, (for ſo the Greeke word doth properly ſignifie) commanding that none ſhould be ordained but unto a particular charge, and that the looſe ordinations ſhould be nullified, and made voyd. This was afterwards confirmed by the Canons, ſo that this rule remained as a Maxime, eſtabliſhed in the Church, that no man could be ordained without a title, and in the ancient and good times, by a title was underſtood a charge, or miniſtery to be exerciſed. But after that corruptions were entred, a title was taken for a revenue to live upon, and that which was conſtituted to this end, that amongſt the Clergie no perſon might be idle, was thus transformed, that no perſon might want, and be forced to worke for his living. And the true ſenſe of the Canons being covered by this interpretation, *Alexander* the third did eſtabliſh it in his *Lateran* Councell, ſaying, that none ſhould be ordained without a title, by which he may receive proviſion, neceſſary for his life, without this exception, if he had no inheritance of his owne, or from his father; which would be very reaſonable if a title were required only to maintaine life. For this cauſe many, ſhewing they had

had a Patrimony, by falſe proofes, were ordained; others, after they were ordained to a true Patrimony, did aliene it; and others, borrowing a ſufficient patrimony untill they were ordained, did afterwards reſtore it to him that had lent it; ſo that there were many poore Prieſts, and many inconveniences cauſed, which required that proviſion ſhould be made for them. 1562

This Articles being propoſed to the Synode, there were divers opinions. Some ſaid, that it being eſtabliſhed that reſidency is *de jure divino*, and every one exerciſing his charge, the Churches will be perfectly ſerved, and there will be no need of Clergie-men not beneficed, or of ordinations to the title of patrimony or any other, and all inconveniences will be remedied. For there will be no idle perſon in the Clergie, from whom innumerable miſchiefes and bad examples doe come, there will bee no beggar, nor any forced to uſe baſe trades. They ſaid, that no reformation was good, but that which did reduce things to their beginning; that the primitive Church did continue many yeeres in perfection, and that the integrity thereof could by this meanes only be reſtored. There was another opinion, that none ſhould be denied to take holy orders, who, for honeſty or ſufficiency, did deſerve them, although they were poore, alleadging that the poore were not excluded in the Primitive Church, which did not diſlike that Clerkes and Prieſts ſhould live by their labor, by the example of S. *Paul* the Apoſtle, and of *Apollo* the Evangeliſt, who lived by making Pavilions, And after that Princes became Chriſtians, *Conſtantius* the ſonne of *Conſtantine*, gave, in his ſixt Conſulſhip, a priviledge to the Clergie, that they ſhould not pay any Subſidie for that which they did traffique in ſhops and worke-houſes, becauſe they gave ſome of their gaines to the poore. The inſtruction of S. *Paul* to the faithfull was obſerved, that they ſhould labour in honeſt workes, that they might have whereof to give to the poore. They ſaid that an idle and wicked life was unſeemely in the Clergie, becauſe it gave ſcandall; but to live of ones labour was honeſt, and tended to edification; and if any were forced to beg, becauſe of ſickneſſe, it was no ſhame, no more than the Fathers who hold it for a glory to be accounted beggars; that it was not a Chriſtian propoſition, that to labour to live by ones hands, to begge in caſe of impotency, was undecent to the miniſters of CHRIST, and that nothing was unſeemely but vice. And if any thought that want was cauſe of theft, or other ſinnes, he ſhall finde, when he thinketh better on it, that theſe be ſinnes of the rich rather than of the poore, and that avarice is more impotent, and untamed, than poverty, which being alwayes buſie, doth take away occaſions of doing ill. An honeſt man and a poore man are compatible, but not an honeſt man and an idle man. The great benefit which the Church militant in this world, and that which is in Purgatory doth receive by Maſſes, celebrated by poore Prieſts, and not by rich, is both written and preached; of which number if none were, the faithfull living, and the ſoules of the dead would be deprived of great ſuffrages; that it were better that a ſtrict order ſhould be made, that perſons of honeſty and ſufficiency ſhould be ordained without a title, ſeeing that now the cauſe doth ceaſe for which Antiquity forbade it, which was, for that thoſe who had titles, labouring in their Eccleſiaſticall functions, did edifie, and the others, being idle, did give

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In which point divers opinions are delivered in Councell.

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scandall, whereas now those that have titles doe, for the most part, disdaine the Ecclesiasticall ministery, and live in pleasure, and the poore performe the functions, and doe edifie.

This opinion was not followed by many. But a middle opinion had great applause; which was, that the use should be still observed, not to ordaine without a title to an Ecclesiasticall benefice, or a sufficient patrimony, that Priests might not dishonour their order by begging, and that it should be constituted, to remoove all fraud, that the Bishop should provide that the patrimony, to which the Clerke is ordained, might not be alienated. *Gabriel de Veneur*, Bishop of *Viviers*, contradicted this, and said, that the patrimony of Clerkes is a secular thing, concerning which the Clergie cannot possibly make any law: besides many occasions may arise, for which the Law or the Magistrate may lawfully command it to be alienated. And it is generally true that the patrimoniall goods of Clerkes, for prescriptions, and all sorts of contracts, are subject to the civill lawes; and therefore that they ought to consider well of the businesse, before they assume authority to breake a civill contract.

Concerning Simony.

The occasion of proposing the third Article was, because the precept of CHRIST, that all spirituall graces should be freely conferred, as *they are freely received* from him, was many wayes transgressed in the collation of *Orders*: which abuse was not new, but greater in former times. For, in the beginning of Christianity, charity abounding, the people who received spirituall things, from the Ministers of CHRIST, did not only, according to the divine precept expounded by S. *Paul*, contribute to them as much as served for their necessities, but enough also to maintaine the poore, never thinking that the temporall was a price of the Spirituall. But after that the temporall, which was held and injoyned in common, was divided, and a revenue applyed to the titles, called a Benefice, the ordination being not then distinct from the collation of the title, and by consequence of the Benefice annexed to it, but both being given and received together, it seemed to the ordainers, that, beside the spirituall thing, they gave also a temporall, for which they might receive another temporall thing in recompence, which he that would obtaine, was forced to accommodate himselfe to the will of him that could give it; so that open buying and selling was easily brought in, which, in the orientall Church, could never be corrected, though many Canons and censures were made against it. Yet it was much diminished, because God tooke from them, by the rod of the Saracens, a great part of their goods. And, in the West, though it was much reprehended by good men, yet it continued, in some places more, in some lesse, untill, about the yeere 1000. the ordniation was divided from the collation of the Benefice; for which cause that did begin to passe for nothing, and Simony did still continue in this, and that more openly than before. And this abuse did alwayes increase, though under divers names of *Annates*, small services, writing, seale, and other pretences, which the Church still useth, with small hope that they can never be taken away, untill CHRIST come againe, with his whip, overthrow the tables of the money changers, and chase them out of the Temple. But the ordination, which, being separated from the Benefice, had

had the fortune to be conferred freely, did injoy it but a ſmall time. For the Biſhops eſteeming it unprofitable and baſe, and regarding more the other which yeeldeth fruit, left off, by little and little, to adminiſter the ordinations; ſo that titular Biſhops were inſtituted, who performed the Pontificall Eccleſiaſticall miniſteries, and the true Biſhops buſied themſelves in the temporall onely. Thoſe, having no revenues, were forced to maintaine themſelves by the adminiſtration of thoſe functions. Whereupon hee that received *Order* was compelled to contribute, firſt by the name of almes or offering, afterwards, to make it more honorable, by the title of donative or preſent, and, proceeding further, that it might not be omitted as being a duty, it was covered with the name of reward, not of the *Ordayner*, but of his ſervants, or of the *Notary*, or of ſome other who ſerved him in the ordination. Therefore in this Article it was propoſed, that the abuſe occurring in the collation of Benefices ſhould not be ſpoken of, as being an infirmity, not curable with any remedy but death.

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Concerning which the Prelates were divided, not by opinions, or affections, but by quality of perſons. The rich Biſhops condemned the receiving of any thing; either for themſelves or their officers, or Notaries, as Simonicall, and ſacrilegious, bringing the example of *Jeheſie* ſervant of the Prophet *Elizeus*, and of *Simon Magus*, and of the ſevere commandement of Christ, *Give freely as you have received.* They alleadged alſo many exaggerations out of the Fathers againſt this ſinne, ſaying, that the names of a voluntary donative, or almes, are vaine colours repugnant to the truth, becauſe the gift is beſtowed for the *Order*, without which it could not have beene given. And if it bee an almes, why is it given upon that occaſion only? let it be made at another time, and *Orders* conferred without the intervention of any thing. But the miſchiefe is, that if one ſhould tell the *Ordainer* that he gave him an almes, he would hold it for an injury, nor would receive it at another time. Therefore they ought not to beleeve, that they could deceive God and the world. They concluded that an abſolute Decree ought to be made, that nothing ſhould be given, though willingly, or under the name of almes, nor received, not only by the *Ordainer*, but alſo by any of his, or by the *Notary*, under the name of writing, ſeale, paines, or any other Pretence whatſoever.

But the poore Biſhops and the Titular ſaid to the contrary, that as to give order for a price was a wicked ſacriledge, ſo to take away almes, ſo much commended by Christ, did deſtroy charity, and wholly deforme the Church. That there was the ſame reaſon abſolutely for *Ordinations*, which is for *Confeſſions*, *Communions*, *Maſſes*, *Burials* and other Eccleſiaſticall functions; and therefore no cauſe why that ſhould be forbid in *Ordination*, which is allowed in all theſe; and the allegation, that if it be an Almes, let it be given at another time, is of as much force in all the other functions. The Church hath uſed, from the beginning, to receive oblations and almes, upon theſe occaſions, which if they ſhall be taken away, the poore religious perſons, who live of them, will be forced to take ſome other courſe, the rich will not performe the offices, as doth, and, for the ſpace of five hundred yeeres, hath plainely appeared; ſo that the exerciſe of Religion will be loſt,

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and the people, remaining without it, will fall into impiety, and divers pernicious superstitions. And if thousands of crownes are given without reprehension for the vestments which the Apostolike Sea giveth to the Metrolitans, how can a small acknowledgment be reprehended, which the Bishop receiveth from the inferiour Orders? What reason is there that things of the same kinde should be ordered by contrary lawes? That cannot be called an abuse which was instituted in the beginning. And it remaineth still in the *Pontificall*, that waxe candles are presented, by those that are ordained, to the Bishop ordaining, at the offering place, in time of the *Ordinations*, which be temporall things, and, if they be great, and well adorned, may cost much. It is not therefore so bad as it is painted out, neither can the opposites gaine, by the infamy of poore Bishops, the name of reformers, imitating the Pharisees, in observing moathes, and straining at gnats.

Some said also that it could not be constituted, as being contrary to the decree of *Innocentius* the third, in the generall Councell, where the use of giving and receiving a temporall thing, in the ministery of the Sacraments, is not onely approved, but the Bishops are commanded to compell the people, by censures and Ecclesiasticall punishments, to observe the custome, giving the title of laudable to those things, which now some go about to condemne as sacrilegious.

But *Dinisius*, Bishop of *Milopotamus*, made a long digression, to shew how the faithfull would be edified, if the Sacraments were administred by the Clergie for pure charity, expecting no reward but from God onely. He affirmed that necessaries were to be allowed them, and greater provision also; but that this was sufficiently and superaboundantly done, by the assignation of Tithes, because they, not being the tenth part of the people, doe receive so great a portion, besides other possessions, which are double as much. Therefore it is not just to demand that which is already received an hundred folde; and if the Bishops be poore, it is not because the Church is poore, but because the riches are ill divided. With an even distribution every one might be fitted; and that might be given without counter-change, for which more than the just price hath beene already received. He added, that, if this multitude of abuses could not be taken away altogether, it would be good to beginne with that of Ordinations, not restraining it to the onely action of conferring the Sacraments, but extending it also to the precedent. For it would be a great absurdity if one should pay too deere, in the Chanceries of Bishoprickes, for *dimisory* letters, by which the Clerke hath leave to find out one that will ordain him, and in *Rome* to be ordained out of the times appointed, and lay the reformation only upon the Bishops that doe ordaine. This opinion was approoved by many, in respect of the *dimisories* of Bishops; but concerning the *Faculty* given at *Rome*, the Cardinall *Simoneta* said, that the Pope would provide for it, and that it was not a thing to be handled in Councell.

Concerning the reward of *Notaries* something was said. For some esteeming it an office purely secular, thought that their pay ought not to be stopped. Others held it for an Ecclesiasticall office. *Antonius Augustinus*, Bishop of *Lerida*, an antiquary, said, that in the ancient Church the Ministers were ordained

ordained in preſence of all the people, ſo that there was no neede of letters Patents or teſtimoniall, and after they had gained a title they did not change Dioceſſe; and if, for any cauſe, they did make a journey, they had a letter from the Biſhop, then called *Formata*. The uſe of letters teſtimoniall began after that the people left to be preſent at the *Ordinations*, and the Clerkes began to be vagabonds, and, being introduced in ſupplement of the preſence of the people, is to be eſteemed a temporall office; but, becauſe it is applied to a ſpirituall matter, it is to be uſed with moderation. Therefore his opinion was, that ſome reward ſhould be allowed for them, but moderated, and limited. 1562 PIUS 4 FERDINAND ELIZABETH. CHARLES 9.

Thath which was propoſed in the fourth point belongeth onely to the Collegiate Churches; which having by their inſtitution, this function, amongſt others, to aſſemble themſelves in the Church to praiſe God, at the houres appointed by the Canons, which therefore are called Canonicall, rents were annexed to them for the maintenance of the Canons, diſtributed amongſt them in one of theſe foure manners. For either they lived at a common table and charge, as the Regulars, or every one had his portion of rents aſſigned to him, (which therefore was called a Prebend) or, the ſervice being ended, all was diſtributed amongſt them, either in meate, or money. Thoſe that lived in common continued in that diſcipline but a ſmall time, but came to diviſion, either into Prebends, or diſtributions to the Prebendaries, excuſing thoſe from performing thoſe divine offices, who, by reaſon of infirmity, or ſome ſpirituall buſineſſe, could not be preſent. It was an eaſie thing to find a pretence, and begin an uſe of being ſeldome in the Church, and to enjoy the Prebend notwithſtanding. But he, unto whom the meaſure was diſtributed, after the worke was done, could not be excuſed; ſo that diſcipline, and frequency in the *Offices* remained longer in this ſecond kind, than in the firſt. For this cauſe the faithfull, when they gave or bequeathed any thing to the Churches, ordained it ſhould be put in diſtributions: and experience ſhewed, that the greater the diſtributions were, the better the *Offices* were performed, and that the negligence of thoſe who did not aſſiſt in the offices might be redreſſed, by taking away of the Prebends, and making diſtributions thereof. This was much commended by many of the Prelates, thinking the worſhip of God would be much enlarged hereby; whereof there could no doubt bee made, becauſe it did appeare already by experience. And this was all which was ſpoken for a ground of this opinion. Concerning diſtributions.

But *Lucas Biſantius*, Biſhop of *Cataro*, a godly man, but poore, ſpake to the contrary, that rather the Prebendaries ſhould be forced, by cenſures, ann deprivations of part, or of all the fruits, and of the Prebends themſelves, but that the firſt forme ſhould not be altered. For almoſt all theſe inſtitutions being made by the laſt will of the faithfull, they ought to be obſerved inviolably, and without alteration, not only upon pretence of better, but not for that which is truely and certainely better, in regard it is not juſt to meddle with that which belongeth to another, becauſe hee doth not uſe it well. But, which is of more importance, to exerciſe a ſpirituall function for reward is undoubted Simony, ſo that by driving out one evill, another

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ther would enter farre worſe, making negligent men to become Simoniacall. The other part anſwered, that the Councell had power to change laſt wills; and, for aſſiſting at divine *Offices* for gaine, one muſt diſtinguiſh, that the gain is not the principall, but the ſecondary cauſe, and therefore there is no ſinne in it; for the Canons will goe to Church principally to ſerve God, and ſecondarily for the diſtributions. The others replied, that they ſaw not how the Councell had greater power over the goods of the dead, than of the living, which no man is ſo impertinent as to pretend; and beſides the doctrine is not ſo ſecure as it is affirmed, that it is lawfull to ſerve God for gaine ſecondarily. And if it were, it is not a ſecondary, but a principall cauſe, which firſt mooveth, and without which the worke could not be done. This opinion was not pleaſing, and raiſed much murmuring in the Congregation. For every one being conſcious to himſelfe that hee received the title and charge onely in regard of the rents, did thinke he was condemned. Therefore the Article had great applauſe that the Prebends ſhould be turned into diſtributions, to incite men to ſerve God, in the beſt manner they could.

Fathers are deputed to frame the Decrees.

Theſe Articles having been thus diſcuſſed, Fathers were deputed to make the Decrees; and it was propoſed that, in the next Congregations, they ſhould ſpeake of ſixe more, leaving that of ſecret marriage for another Seſſion. The next day the Legats and Deputies met, to colleſt the ſubſtance of the opinions of the Fathers, and, concerning the firſt Article of Reſidency, they diſſented amongſt themſelves. *Simoneta* favoured the opinion that it was *de jure poſitivo*, and ſaid, that the greater part, even thoſe who held it was *de jure divino*, thought fitte that the queſtion ſhould be omitted. *Mantua*, without manifeſting his owne opinion, ſaid that the greater number did demand a declaration of it. Of the other Legats, *Altemps* followed *Simoneta*, and the other two, though with ſome caution, adhered to *Mantua*. And this difference did not paſſe without ſome bitterneſſe, though modeſtly expreſſed. For this cauſe the Legats held a generall Congregation, the 20 day; in which the demands following was read out of a paper: that is; Becauſe many Fathers have ſaid that reſidency is *de jure divino*, ſome have ſaid nothing, and others ſpoken againſt the making of the declaration, to the end, that thoſe who are deputed to make the Decrees, may make them quickely, eaſily, and ſecurely, your Lordſhips may bee pleaſed to deliver your opinions, only with the word *placet*, whether you approove or diſproove the declaration, that reſidency is *de jure divino*: becauſe, according to the cuſtome of this holy Synode, the Decree ſhall be made as the greater number ſhall give their voyces; which becauſe they had been formerly delivered in great variety, they deſired that they would all ſpeake diſtinctly, one after one, that their ſuffrages might be noted.

The Legats diſſent in opinion concerning Reſidence.

And ſo do the Prelates.

And having given their voyces, 68 ſaid, *Placet* abſolutely: 33. *Non placet* abſolutely. 33 ſaid *Placet*, *conſulto prius Sanctiſſimo Domino noſtro*: and 17 anſwered, *Non placet, niſi prius conſulto Sanctiſſimo Domino noſtro.* The 13 did differ from the 17. becauſe they did abſolutely approve the declaration, yet were ready to change their opinion, if the Pope thought otherwiſe: the 17 did abſolutely not approove, yet were content to be of the Popes opinion, if he

hee did like it. This was a very ſubtile buſineſſe, and uſed only where every one doth thinke to doe his Maſter the beſt ſervice. The Cardinall *Madruccio* would not preciſely anſwer to the interrogation, but ſaid, he referred himſelfe to his voyce, delivered in Congregation, which was in favour of *Jus divinum*. And the Biſhop of *Budua* ſaid, that he held the affirmative as already concluded, and that he thought fit it ſhould be publiſhed. The voyces being collected and divided, and it appearing that the greater part, by one halfe, did approove the declaration, that a fourth part only did diſlike it, and that others, though conditionally, were with the firſt, they came to words of ſome bitterneſſe, and the reſidue of the Congregation was ſpent in diſcourſing hereof, not without much confuſion. Which the Cardinall of *Mantua* perceiving, made a ſilence, and, exhorting the Fathers to modeſty, gave them leave to depart. 1562. PIVS 4. FERDINAND. ELIZABETH. CHARLES 9.

The Legats conſulted what was fit to be done; and agreed to give the Pope an exact account of all, and expect his anſwer, and in the meane while to proſecute in the Congregations the Articles remaining. *Mantua* would have ſent his Secretary, *Camillus Olivo*, by poſt, with letters of credence, and *Simoneta* would have all expreſſed in the letters. They concluded to temper theſe two opinions: that is, to write a very large letter, and referre that which remained to the Secretary: who the ſame day parted from *Trent*, in the evening. This, though ſecretly caried, came to the knowledge of the Spaniards, who much complained that they ſaw a beginning made of an unſupportable grievance, that every treaty ſhould not only be ſent, but conſulted of and reſolved alſo at *Rome*; that the Councell aſſembled twice before in that City, was diſſolved without fruit, yea with ſcandall alſo, becauſe nothing was reſolved by the Fathers, but all in *Rome*; ſo that a blaſphemous Proverbe was generally uſed, that, *the Synod of Trent was guided by the holy Godſt. ſent thither, from time to time, in a cloake bagge from Rome.* And that thoſe Popes, who abſolutely refuſed the Councell gave leſſe ſcandall, than thoſe who have aſſembled it, and hold it in ſervitude. The world was in hope that, if once a Councell might be obtained, all inconveniences would be redreſſed, but having obſerved how things were carried, under two Popes before, and how they are governed now, all hope of any good is extinguiſhed, nor any more to be hoped for from the Councell, if it muſt ſerve to be a miniſter of the intereſts of the Court of *Rome*, and moove or ſtand ſtill at their pleaſure.

Whereof the Legats give the Popes an account.

To the great diſcontentment of the Spaniſh Prelats.

A blaſphemous proverb was uſed againſt the proceeding of the Councell.

This gave occaſion, beginning in the next Congregation to diſcuſſe the Articles propoſed, briefly to ſpeake of the point of Reſidency. The Cardinall of *Varmia* ſaid, that that matter was ſufficiently treated on; that the Decree ſhould bee framed to reſolve it; which being propoſed every one might ſay what he thought fit: but hee could not quiet the humors that were mooved. Therefore the Archbiſhop of *Prague*, the Emperours Ambaſſador, made a continuate ſpeech, to exhort the Fathers to proceed peaceably & with leſſe paſſion, admoniſhing them to conſider what did become their perſons, and that place: But *Julius Superchius*, Biſhop of *Caurle*, anſwered cholerikely, that nothing doth leſſe beſeeme the Councell, than to lay a law upon the Prelates, eſpecially when it is done by one who repreſenteth a ſecular authority; and uſed ſome biting termes: ſo that the Congregation

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was like to be divided into parts. *Varmienſe*, who was Preſident in it, ſeeking to moderate them, diverted the ſpeech upon other Articles, appointed for that day, and propoſed that ſome meanes ſhould be uſed to ſet at liberty the Engliſh Biſhops, who were in priſon in *England*, that comming to the Councell, it might be ſaid, that that noble Nation was preſent alſo, and not wholly aliened from the Church. This pleaſed all: but the common opinion was, that it might ſooner be deſired than hoped for. They concluded that the Queene having refuſed to receive a *Nuncio*, expreſly ſent from the Pope, it could not be hoped that ſhe would hearken to the Councell. Therefore all they could doe was to perſwade Catholike Princes to mediate for them.

A conſultation in the Councell to ſet at liberty the Engliſh Biſhops who were in priſon.

The Venetian Ambaſſadours are received in Congregation.

The 25. being S. *Markes* day, the Venetian Ambaſſadours were received, in the generall Congregation, whoſe *Mandat* being read dated the 11 of the ſame moneth, and an Oration made by *Nicolas di Ponte*, one of them, an anſwere was given in the uſuall forme.

In thoſe few dayes, the wiſeſt amongſt the Prelates, conſidering what a diſreputation it would be to the Councel, and themſelves, if thoſe ſtirs were not pacified, endevoured to pacifie mens minds by ſhewing that if the Conciliary actions were not proſecuted without tumult, beſides the ſcandall & the ſhame, the diſſolution of the Councell, without doing any good, would neceſſarily follow. This remonſtrance tooke effect; and cauſed them to treat peaceably of the ſixe Articles remaining; of which there was not much to be ſpoken. For the fifth, the proviſion was thought neceſſary; but there was a difficulty concerning the manner, becauſe the diviſion of Pariſhes was firſt made by the people, when a certaine number of inhabitants, having received the true faith, built a Temple for exerciſe of their religion, hired a Prieſt, and did conſtitute a Church, which, by the neighbours was called a Pariſh; and when the number was increaſed, if one Church and Prieſt were not ſufficient, thoſe who were moſt remote did build another, and fit themſelves better. In progreſſe of time, for good order and concord a cuſtome began to have the Biſhops conſent alſo. But after that the Court of *Rome* aſſumed by reſervation the collation of Benefices, thoſe who were provided of them from *Rome*, when the diviſion of great Pariſhes, and, by conſequence, a diminution of their gaine was in queſtion, oppoſed themſelves by the favour of the Pope, ſo that nothing could be done herein without going to *Rome*: which when it hapned, eſpecially beyond the Mountaines, in regard of the impediments of *Appeals*, and other ſuits, it was a thing of great charge. To provide againſt theſe inconveniences in Councell, the Prelates thought, that where one Church was ſufficient for people, but not one Rector, the titles ſhould not be multiplied, becauſe where many Curates are, there muſt needs be diverſity of opinions; but that the Biſhop ſhould compell the Pariſh Prieſt to take other Prieſts to aſſiſt him, as many as were needefull: but where the largeneſſe of the habitation did require, he ſhould have power to erect a new Pariſh Church, dividing the people and revenues, and compelling them to make a ſufficient revenue by contribution. Only *Euſtathius Bellai*, Biſhop of *Paris*, who came not long before, told them, that in regard of the laſt part, the Decree would not be received in *France*, where they doe not conſent that the Laity may be commanded, in a temporall matter,

The diviſion of Pariſhes.

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by Eccleſiaſticall authority, and that it was not for the reputation, of a generall Councell to make decrees, which would be rejected in any Province. Friar *Thomas Caſellus*, Biſhop of *Cava*, replyed, that the French-men doe not know that this power is given to the Councell by CHRIST and S. *Paul*, who have commanded that maintenance ſhould be allowed by the people, to thoſe that ſerve them in ſpirituall things, and that the French-men, if they will be Chriſtians, muſt obey. *Bellay* replied, that untill he had underſtood that which CHRIST and Saint *Paul* doe grant to the Miniſters of the Goſpell, to be a power to receive maintenance from him that doth voluntarily give it, and not to conſtraine any to give; and that *France* would ever be Chriſtian. And he paſſed no further. 1562 PIUS 4 FERDINAND ELIZABETH. CHARLES 9.

The ſixth and eighth Articles would not have needed a decree, if the Biſhops had kept their authority, or if it had continued in the Pariſh Prieſts, or in the People, to whom ſuch proviſions did formerly belong, as hath been ſaid, and ſhould doe ſtill by all reaſon. But the neceſſity of handling theſe matters proceeded from the reſervations made to *Rome*. The Prelates were all of the ſame opinion, that proviſions were requiſite, yet ſome would not conſent they ſhould be made, becauſe they would not meddle with the Popes authority; by treating of things reſerved to that Sea, eſpecially in ſo great a number. *Leonard*, Biſhop of *Lanciano* ſpake of it as of a point of juſtice, that all the offices of the Apoſtolike *Chancery* being ſold, it was not fit to diminiſh the diſpatches made there, becauſe it would take away part of the profit, without the conſent of the buyer; and therefore that theſe proviſions ought to be made in *Rome*, where the intereſt of all would be conſidered. And this Biſhop would have proceeded further, in regard of the intereſts himſelfe and his friends had in thoſe offices, if the Archbiſhop of *Meſſina*, a Spaniard, who ſate next, had not told him that nothing ſhould be reſolved before it were conſulted of, and conſented to in *Rome*. They called to minde that which was done in the firſt Councell, when authority was given to Biſhops, concerning things reſerved to the Pope; that is, to adde, that they ſhould doe it as delegates of the Apoſtolike Sea; which counſell was followed in all decrees, made concerning ſuch matters.

In the 7. though every one thought fit that the people ſhould be ſerved by perſons ſufficient for the miniſtery, and of good behaviour, yet they ſaid it was enough, and very much, to provide for the future, becauſe thoſe laws which look backe and diſpoſe of things-paſt, are ever accounted odious, and tranſcendent. Therefore they thought it ſufficient to provide fit perſons for hereafter, tolerating thoſe who are in poſſeſſion already. The Arch-biſhop of *Granata* ſaid, that the deputation of any unfit perſon to the miniſtery of CHRIST, was not ratified by his divine Majeſty; and therefore was void the poſſeſſor having no right: and that they were bound to remove him that was unfit, and to put another ſufficient perſon in his place. But this opinion was not followed, as being too rigid, and impoſſible to be executed, becauſe there was not a juſt meaſure of neceſſary ſufficiency. Therefore the middle way was taken, not to exceed the propoſition of the Article, but making a difference betweene the ignorant and ſcandalous, to proceed againſt the former with leſſe rigour, as being leſſe culpable. And as it belongeth to the

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the Bishop by all reason, to make provision when the collation came not from the Pope, so in this case also it should be granted unto him, as *Delegate* of the Apostolike Sea.

How Commendaes began.

To treat of the visitation of Benefices commended, in the ninth Article, occasion was given by a good use, degenerated into a great abuse. In the incursions which the *Barbarians* make upon the Westerne Empire, it often hapned, that the Churches were deprived of their Pastors, when those unto whom it did canonically belong to make provision of successors, could not do it, as being hindred by invasions, sieges, or imprisonments: Whereupon, that the people might not continue long without spirituall government, the principall Prelates of the Province, or some of the neighbors, did recommend the Church to some Clergie man, conspicuous for piety, and honesty, and fit for government, untill the impediments being removed, a Pastor might be canonically elected. The Bishops and next Parish Priests did the like, when the like vacancies hapned in the Countries; and alwayes he that did commend another, did seeke to employ a man of note, and he that was commended, did labour to answer the expectation; so that great fruit did ensue, to the satisfaction of all. But as alwaies some corruption will in time creep into good things, some of the Commendataries began to think not only of doing the Church good, but to draw some profit to themselves also, and the Prelats likewise to commend Churches without necessity. The abuses increasing, a Law was made, that the *Commenda* should not last above sixe months, nor the Commendatary participate of the fruits of the Benefice cõmended. Howsoever, the Popes, pretended to be above this law, did not only comend for a longer time, and grant an honest portion to the *Commendatary* but did commend also for terme of life, granting all the fruits unto the person commended, as unto the *titular*. Yea, they made the forme also quite contrary. For whereas it was formerly said in the Buls, We doe recommend unto thee this Church, that it may be well governed in the *interim*: they began to say, We recommend unto the such a Church, that thhou mayest maintaine thy state, with a greater dignity. And moreover they ordained, that if the *Commendatary* died, the Benefice should remaine at their disposition, so that they could not be hindred by the Patron. And the *Commendataries* being placed by the Pope, the Bishops could not meddle in those Churches, and every one in Court was more willing to get benefices in *Commenda*, than in the title to exempt themselves from the subjection of the superiour Prelates; so that the Bishop was deprived of authority over the greater part of the Churches of his Dioceese, and the *Commendataries*, not subject to any Superintendency, suffering the buildings to fall, and diminishing, or wholly taking away other necessary expenses, having no other end, than according to the proeme of the Bull, to maintaine their owne state, let all go to desolation. It seemed an indecency, that the Bishop should meddle with that which was recommended by the Pope to another. And therefore they thought fit to make a mannerly provision against this disorder, granting the Bishops authority to visit and superintend, But as *Delegates* of his Holinesse.

The abuses and impieties of Collectors.

The twelfth proposition was made to remedy the abuses of the Collectors, because the ancient institution was degenerated also. For Hospitals,

Spittles,

Spittles, places for education of Orphans, and ſuch like, being inſtituted in divers places for neceſſity, without any maintenance but the armes of the faithfull, ſome godly perſons undertooke the charge to goe about and aske them at mens houſes, and for their credit, had letters teſtimoniall from the Biſhop. Others, that they might not be hindred by the Biſhop, obtained faculty from the Pope, with letters of recommendation; which were eaſily granted, in regard of the profit which came to the Court, for the diſpatch of the Buls. This inſtitution was immediatly turned into exceſſive abuſes, and the leaſt part of the armes collected was beſtowed in the right courſe. Thoſe alſo who had obtained power to collect, did ſubſtitute alſo baſe & infamous perſons, dividing the almes with them. The Collectors likewiſe, to gaine as much as they could, uſed a thouſand ſacrilegious and wicked artifices, wearing a certaine forme of habite, carrying fire, water, bels, and other inſtruments to make a noiſe, that they might amaze the vulgar and breed ſuperſtition in them, telling falſe miracles, preaching falſe *indulgences*, asking almes with imprecations and threats of evill and misfortunes, againſt thoſe that would not give, and uſing many other impieties like to theſe, ſo that the world was much ſcandalized; but no proviſion could be made, in regard of the Apoſtolicall grants. The Prelates enlarged themſelves in this matter, relating the abuſes and impieties aforeſaid, and many more, ſhewing that remedies had been formerly uſed, but without effect; and ſo would all others proove that ſhould be attempted: only one remained, which was to aboliſh wholly the name and uſe of Collectors; in which opinion all concurred. At this time the Ambaſſadours of the Duke of *Bavaria* came, who refuſed to preſent themſelves in Congregation, except they might have precedence of the Ambaſſadors of *Venice*. Whereunto they denying to yeeld, the Legats interpoſed a delay, that they might receive anſwere from *Rome*.

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The Ambaſſadors of the D. of Bavaria contest for precedence with the Amb. of Venice.

The Pope and and Court are much perplexed with advices ſent unto them from Trent and Spaine.

The Pope underſtanding how the voyces were given in the Congregations concerning reſidency, and that the Spaniards did all hold together, made a bad Prognoſtique, and thought that union could not be without the Kings knowledge. He ſaid he had a long time knowne, by great experience, that the *Ultramontan* Prelates do envy the greatneſſe of *Italy*, and of the Apoſtolike Sea, and, for the ſuſpicion which he had of the King, was ill ſatisfied with him, as if he had failed of the promiſe which he made unto him to preſerve his authority. The concluſion of all the diſcourſes was, that if the Princes will abandon him, he will have recourſe to heaven; that he had a million of golde, and knew where to get another; and beſides, that God will provide for his Church. The Court alſo did perceive, with great paſſion, in what danger they were, and thought that theſe novities did aime to make many Popes, or none at all, and to hinder all the profits of the offices of the *Chancery*. Advice came to him alſo, from his *Nuncio* in *Spaine*, that the King was ill pleaſed with the (*Proponentibus Legatis*) conſtituted in the firſt Seſſion: and the Pope was ſo much the more pleaſed with it, becauſe by the diſtaſte of others, he perceived they had deſignes to propoſe ſomething to his prejudice. Yet he cauſed it to be excuſed to the King, that it was done without his privity, howſoever he thought it neceſſary to repreſſe the petulancy of unquiet ſpirits, ſaying, that the Councel would be like the tower of *Babel*,

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if every turbulent person might moove humors as he listed; that the Legats were discreet, and did reverence his Majesty, and would propose whatsoever should please him, and give satisfaction to all wise and godly persons. But with the Kings Ambassadour residing with him, who spake thereof, he proceeded somewhat roughly. First, he complained, that he had done bad offices herein; then, relating how the Spanish Prelates, as it were seditiously, proceeded in the Councell, he shewed that the Decree was holy and necessary, and that no prejudice was done to any, in saying that the Legats shall propose. *Vargas* answered, that if it had beene said only, the Legats shall propose, no man would have complained, but that oblative (*Proponentibus Legatis*) did deprive the Bishops of power to propose; and therefore that it was fit to change it into another kinde of speech. Whereunto the Pope answered, with some disdaine, that he had something else to do, than to thinke *Cujus generis, & cujus casus*. The Popes suspicion did not want ground, having discovered that the Ambassadour had sent many posts into *Spaine*, and unto *Trent*, exhorting the Spanish Prelates to maintaine their liberty, and desiring the King that the Councell might not be held in subjection.

But, in the Court, many Prelates having written to their friends from *Trent* diversly, according to their affections, there was a great tumult, or rather an astonishment, every one thinking he did already see *Rome* empty of Prelates, and deprived of all prerogative and eminency. It did appeare plainely, that the Cardinals residing in *Rome*, should be excluded from having Bishoprickes; that plurality of benefices was forbid, that no Bishop or Curate might have any office in *Rome*, and that the Pope might not be able to dispense in any of the things aforesaid, which are the most principall of all that are in his power, so that his authority would be much diminished. And they remembred the saying of *Liuie*, that *the Majesty of a Prince is hardly brought from the height to the middle, but is easily cast headlong from the middle to the bottome*. They discourse how much the authority of Bishops would be inlarged, who would draw unto them the collation of Benefices, denying the Popes authority for reservations; that the Bishops beyond the Mountaines, and some Italians also, have ever shewed a bad minde towards the Court, for envy, and because they cannot so easily have place in it; and that they were to take heed of those who remaine in places the most remote from *Rome*, for conscience sake, because they would doe worse than all the rest, in case they were able; that these hypocritical Puritans have a greater ambition than the rest, though covered, and would fain advance themselves by the ruines of others, as *Paul* the fourth did very well shew by effects. And because the Spaniards were united in this, and exhorted by *Vargas* to persevere, many did whisper that the King was the first moover, who, to gaine Subsidies from the Clergie, having two difficulties to overcome, one in having the Popes consent, the other in taking away the resistance made by Chapters and Colledges; who being the prime in the Nobility, exempted from Bishops, & most of them having received Benefices by the Popes collation, doe oppose themselves without respect, did purpose to advance the Bishops who doe wholly depend on him, and receive their Bishoprickes by his presentation, by freeing of them from subjection to the Pope, and subjecting

jecting the Chapters and Colledges unto them, and ſo, by their meanes, to gaine an eaſie and abſolute dominion over the Clergie. 1562.

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The Court did generally complaine of all the Legats for propoſing the Article, or ſuffering it to be propoſed; ſaying, that it was formerly ordained with great Art, that they only ſhould propoſe, only to reſiſt the attempts of thoſe who were ill affected to *Rome*, and that they could not be excuſed, becauſe they had an example of a diſorder, which this diſpute cauſed in the firſt Councell. Above all, they complained of *Mantua* and *Seripando*, and eſpecially of *Mantua*, becauſe with his reputation and credit, he might eaſily have withſtood all inconveniences. They ſaid it was neceſſary to other Legats, more inclined to the common good, not Princes, nor Friars, but ſuch as had paſſed through the degrees of the Court. And the generall voyce did deſigne *John Baptiſta Cigala*, Card. of S. *Clement*, in the firſt place, becauſe he had ſhewed himſelfe a ſtout champion for the Popes authority, in the offices of *Referendary* and *Auditor* of the *Chamber*; with much commendation and increaſe of the affaires of *Rome*; who, being ſuperiour to *Mantua*, ought to hold the firſt place, which would make him retire.

The Pope cauſed many Congregations to be held by the Cardinals, deputed to conſult of the affaires of the Councell: who having thought of divers remedies to ſtop the current of this evill, he began to ſpeake of the buſineſſes much more quietly and correctly than before. He did not condemne the opinion of thoſe who ſaid, that reſidence was *de jure divino*, yea he commended them for ſpeaking according to their conſcience; and ſometimes he added, that perhaps that opinion was the better. But he complained of thoſe who referred themſelves unto him, becauſe the Councell was aſſembled, that every one may deliver his owne opinion, and not lay the things of difficulty upon the backe of another, that themſelves might avoid hatred and envy. The differences betweene the Legats did diſpleaſe him, which they ought not to have publiſhed with ſcandall, but, concealing them, to have compoſed them betweene themſelves, or referred them to him. And as hee was pleaſed that every one ſhould deliver his opinion freely, ſo he blamed the practiſes which many uſed, to ſubvert others, with deceipts and almoſt with violences. And he could not chooſe but be troubled with that which was ſpoken concerning the liberty of the Councel and that to conſult of the matters thereof at *Rome* was to violate it; ſaying it was a ſtrange thing, that he, who was Head of the Church and the Cardinals, who were principall members, and other Prelates in *Rome*, who have voice in the Councell, ſhould bee accounted ſtrangers, and may not be informed of what is handled, and ſpeake their opinion, whereas thoſe who have no lawfull part in it, hold it lawfull to entermeddle, and that in an ill ſort; that it is plaine, that the Prelates went to *Trent*, with commiſſion from their Princes, according to which they proceed; that the Ambaſſadours, by letters and perſwaſions, doe compell them to follow the intereſts of their Maſters, and yet, for all this, no man ſaith, which (ſhould be ſaid) that the Councell is not free. This he amplified, in all his diſcourſes, with much vehemency, adding, that to ſay the Councell was not free, was a colour uſed by him who was not willing to ſee a good end thereof, hoping to diſſolve it,

1562 it, or to take from it all reputation; all which he held to be secret favourers of heresie.

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Finally, after he had conferred and often consulted with all the Ambassadours residing with him, of this particular, the ninth of May assembling all the Cardinals, he caused the advices sent from *Trent* to be read, and declared the summe of the former consultations, and the necessity to walke cunningly and constantly in this businesse, intimating that many had conspired against the Apostolike Sea. Afterwards he caused the answere to be read which he purposed should be sent to *Trent*; which in substance did containe two points. That the Councell was free on his part, and ever should. That it was fit he should be acknowledged for head, and receive that respect which is due to the Apostolike Sea. He asked the opinion of all the Cardinals: who did uniformely commend the answere. Some told him that, in regard of the differences betweene the Legats, it were good to send others, some of the most extraordinary persons; and others said that the importance of the businesse did require that his Holinesse and the whole Colledge should go to *Bolonia*, that they may be neere to *Trent*, and to give better assistance, as occasion should be offered. Whereunto the Pope answered, that he was ready to go, not only to *Bolonia*, but to *Trent* also, if there were need, and all the Cardinals offered to follow him. They consulted of sending other Legats, and resolved not to speake any more of it, as yet, because *Mantua* would depart, which would be a great prejudice to the reputation of the Councell, in regard of the opinion which the Emperour, King of *Spaine*, and almost all Princes have of his honesty, and of the credite he hath with the greater part of the Prelates of *Trent*.

The Popes answer sent to *Trent*.

A consultation in *Rome* about sending other Legats.

The letters being dispatched, he dealt with the Ambassadours of *Venice* and *Florence*, that their Princes would recommend the cause of the Papacy to their Ambassadours in *Trent*, and command them to cause the Prelates of their States, not to be present in the parlies against the Apostolike Sea, and not to be so earnest in the point of Residency. Afterwards hee called all the Bishops remaining at Court, and shewed them what service their presence might doe in *Trent*, and the necessity thereof. He loaded them with promises, gave money to those who were poore, and dispatched them to the Councell. This he did to encrease the number, against they should speake of Residency, and because 40. French-men were expected, from whom he could not Prognosticate any good. And not to have *France* his opposite, whose Ambassadours would be in *Trent* very shortly, he resolved to give the King 100000 crowns, and to lend him as much in the name of Merchants, upon sufficient assurance of the Principall and the interest, so that he would in earnest, and without dissimulation, revoke the Edicts, and make warre for religion; that with that money *Suisses* and *Germanes* might be levyed to bee under the conduct of his Legat, and the colours of the Church; that no *Hugonot* should be pardoned without his consent; that the *Chancellor*, the Bishop of *Valence*, and others, to be named by him, should be imprisoned; that in the Councell nothing should be handled against his authority, and that his Ambassadours should not make mention of the *Annats*.

The Pope maketh plots to maintaine the greatnesse of the Apostolike Sea.

nets. Yet he promiſed to accord with the King in that matter, and to reforme it, to the ſatisfaction of his Majeſty. 1562

Afterwards the Pope conſulted on the point of Reſidence, that, when there was occaſion, he might ſpeake thereof correctly, without prejudice to himſelfe, or ſcandall to others. And having well diſcuſſed the reaſons, he ſetled his opinion to approove it, and cauſe it to be executed upon what law ſoever it were grounded, whether Canonicall, or Evangelicall. And ſo he anſwered the French Ambaſſador, who ſpake to him of it; adding, that he alone is deputed to ſee the execution of all the Evangelicall precepts. For CHRIST having ſaid to S. *Peter, Feed my Lambes*, hath ordained that all the orders made by his divine Majeſty, ſhall be executed by meanes of him only, and that he would make a Bull thereof, with a penalty of deprivation of the Biſhoprickes; which ſhould be more feared than a declaration which the Councell might make, *de jure Divino.* And, the Ambaſſadour inſiſting upon the liberty of the Councell, he ſaid, that if all liberty were granted unto it, they would extend it to reforme not only the Pope, but Secular Princes alſo. And this forme of ſpeech much pleaſed his Holineſſe, who was wont to ſay, that nothing was worſe than to ſtand upon the defence only, and that, if others did threaten him with the Councell, he would play with them at the ſame weapons.

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He conſulteth on the point of Reſidence.

At this time, to begin to execute that which he had requeſted, and promiſed, that is, to reforme the Court, that the Councel might not meddle with it, he firſt publiſhed a reformation of the *Penitentiary*, a very principall member, giving out a report, that he would ſhortly alſo reforme the *Chancery*, and the *Chamber.* Every one did expect that the things belonging to the ſalvation of ſouls ſhould have beene regulated, which are managed in that office; but in the Bull there was not any the leaſt mention made of repentance, conſcience, or any other ſpirituall thing: only it tooke away the *Faculties* which the *Penitentiary* doth exerciſe, in divers cauſes beneficiall, belonging to the exterior diſcipline of regular Friars; not expreſſing whether that proviſion was made to give thoſe *Faculties* to ſome other officers, or whether he eſteemed them abuſes undecent, and would baniſh them from *Rome.* But the event did immediatly take away the doubt. For the ſame things were obtained from the *Datary*, and by other wayes, only with greater charge. And this was the fruit of the reformation.

And reformeth the court in petty matters only.

But to returne to *Trent*, the Fathers having delivered their opinions, and the Deputies framed nine Decrees (for the Articles of Matrimony, as already decided, and of reſidency by conſent of the Legats, and of ſome of the Fathers, perſwaded thereunto, were omitted) they propoſed them to be eſtabliſhed in Congregation, and to be read in the Seſſion at the time appointed. By reaſon of this omiſſion, the demands of thoſe that favoured reſidency were ſtirred up. Whereunto the Legats anſwering, that that Article was not well diſcuſſed, nor was fit to be propoſed in that Seſſion, but that it ſhould be done in time convenient, they were more earneſt than before, alleadging that there would never be a greater opportunity, murmuring that it was a tricke never to conclude it. But they were forced to relent, ſeeing the Legats reſolute not to handle it then, and becauſe thoſe of the contrary opi-

Another contention about Reſidence.

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nion, encouraged from *Rome*, did labour more effectually to the contrary. Therefore speaking of the other Articles only, with some few alterations, the nine heads were framed.

The Spanish Ambassadour mak th suit to have the Continuation declared.

The Marquis of *Pescara* made earnest suite, in the Kings name, that that Councel might be declared to be a continuation of the Councell begun under *Paul* 3. and prosecuted under *Julius*. He was assisted by the Spanish Prelates, and others, who followed them, alleadging that it was to be done, for necessity of faith; and that otherwise the determinations already made, would be questioned, which would be a notable impiety. The Emperors Ambassadors used strong perswasions to the cõtrary, saying, they would presently depart & protest. For the Emperor having given his word to *Germany*, that that *Convocation* should be a new Councel, he could not indure so great an affront. They said they would not by this means, reexamine the things decided, but that while there was hope to reduce *Germany*, they would not cut it off, especially with so much disgrace of the Emperor. Card. *Seripando* had no other aim but that it should be determined to be a continuation, & formerly, in making the Bul of convocation, did labour herein, and did now effectually further the Spaniards request. But *Mantua* did constantly resist, that such an injury might not be done to the Emperor, without necessity; and he found a temper to pacifie the Spaniards; saying, that having already held 2 Sessions without making mention of this proposition, it will be no prejudice to deferre it also to another. The resolution of the Emperors Ambassadors to depart, and the perswasion of the Card. caused *Pescara* to proceed more remisly. And letters came very fitly from *Lewis de Lansac*, chiefe of the Ambassadours sent to the Councel from the French King, who, being in his voyage not farre distant, wrote to the Legats and Fathers, to pray them that the Session might be prorogued, until he & his Colleagues were come. *Mantua*, making use of this occasion, proposed the prorogation of the Session, for w^ch though they would not consent, in regard of maintaining the dignity of the Synod yet they resolved (some for one respect, some for another, and some because the humors of residẽce were not wel quieted) to celebrate it, without proposing any thing.

And is opposed by the Emperours Ambassadours.

A Session is held.

The 14 day being come, they met in the publike Session, with the usuall Ceremonies: where the Masse and the prayers accustomed being ended, the Secretary read the *Mandats* of Princes, according to the order in which the Ambassadors presented themselves in Congregation: Of the Catholike king, of the Duke of *Florence*, of the *Suisses*, of the Clergy of *Hungary*, and of the Venetians. And the *Speaker* did in a few words thanke all those Princes, for having offered their assistance for the security and liberty of the Councell. Afterwards the Masse-Bishop pronounced the decree in this substance:

In which nothing is done.

That the Synode, for some just and honest causes, hath determined to deferre the promulgation of the decrees appointed for that time, untill the fourth of June, for which day it doth intimate the next Session. And nothing else was done in this meeting.

The Spanish Ambassadour parteth from *Trent* 2 dayes before the arrivall of the French Ambassador.

So soone as the Session was celebrated, the Marquis of *Pescara* parted from *Trent*, saying he must returne to his government of *Milan*, because of some new stirres, raised by the Hugonots, in the *Delphinate*. But it being knowne that those forces were not able to issue out of the Country, and that the

the Duke of *Savoy* was between *Milan* and them, many beleeved, that he had commission from his King so to do, who, desirous that the Councell should proceed, would not have it interrupted by the controversie of precedence, which could not have been avoided, if his, and the French Ambassadors had been in *Trent* together. *Lewis S. Galais*, Lord of *Lansac*, chiefe of the French Ambassage, arrived two dayes after the departure of the other, and was met upon the way by many of the Prelates, and particularly by the Spaniards. The next day *Arnold de Ferrieres*, President of *Paris*, and *Guido Faber*, Lord of *Pibrac*, gowned men, Colleagues of the Ambassage, did arive also. 1562 PIUS 4 FERDINAND ELIZABETH. CHARLES 9. The French Ambassadors come to Trent.

At this time advice came to the Councell how the Pope, Cardinals, and Court of *Rome* had censured the Fathers for the point of Residence, and many received letters from the Cardinals their Patrons, full of complaints, reprehensions, and exhortations, which letters they shewed to many. On the other side, newes came to *Rome* of what happened in *Trent* afterwards. The Pope did renew and augment his disdaine against the Cardinall of *Mantua*, for having omitted the occasion to declare the Continuation, being requested to doe it by the Ambassadour and Prelates of *Spaine*. He was sory to see that Cardinall joyned with the Spaniards in the point of residence, and opposite to them in the Continuation; which was to crosse him in all things. For no man, though of a dull wit, would have forborne to have made that declaration, because if it had succeeded well, it had been much in the favour of the Catholike Church, if not, the Councell had been dissolved; a thing of no lesse benefit. They began in *Rome* to consult againe of sending other Legats, and particularly the Cardinall of Saint *Clement*; dessigning to lay the principall charge, and the instruction upon him: and not to take the first place from *Mantua*, and so to give him occasion to depart, they thought to ordaine him Bishop, newes being come a little before of the death of *Francis Tornon*, Deane, by which one of the sixe Bishoprickes was voyde. The Popes indignation against the C. of *Mantua* is renewed.

The Emperour, advertised of the proposition to declare the *Continuation*, was mooved, and sent the Pope word, that whensoever it was done, he would recall his Ambassadours from *Trent*, whom he commanded that, if the resolution was made, they should presently depart, not expecting the publication. Therefore his Holinesse was in hope that, by this meanes the Councell might be ended, and was so much the more angry with the Cardinall of *Mantua* for suffering such an occasion to passe, and beganne to thinke how it might bee revived. The Court, as well to imitate their Prince, as for their owne interests, continued their complaints, and murmures against the Prelates of the Councell, and most of all against that Cardinall, and against *Seripando* and *Varmiense*; and, on the contrary, the Prelates in *Trent*, and especially the Spaniards, complained of the Pope and the Court. Of him, for holding the Councell in servitude, to which he ought to leave free power, to handle and determine all things, and not to meddle himselfe; and yet, besides that, nothing is proposed but what pleaseth the Legats, who do nothing but that which is commanded from *Rome*, when a proposition is made in which 70 Bishops do uniformly agree, they are hindred, ever to speake thereof, that the Councell ought to be free, and The Prelates of the Councell complaine of the Pope.

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exempt from all prevention, concurrence, and interceſſion of any other power; and yet lawes are given them what to handle, and limitations, and corrections made of the things handled and decreed; which continuing, they cannot truely bee called a Councell. That there were amongſt them more than fourty ſtipendaries of the Pope, ſome receiving thirty, ſome ſixty crownes a moneth; and that others were terrified by the letters of Cardinals, and other Courtiers. They complained of the Court, that, not induring a reformation, they held it lawfull to calumniate, reprehend, and cenſure that which was done for the ſervice of God. That, having ſeen how they proceeded againſt a neceſſary and ſmall reformation, they muſt needes expect a great commotion, and a contradiction, when they ſhall be more touched at the quicke; that the Pope ought to bridle the tongues of the paſſionate, and make ſhew at the leaſt, ſeeing that he would not be tied really, that the Councell may proceed with ſincerity and liberty.

A paſſage concerning the equality of Biſhops.

Paulus Emilius Verallus, Biſhop of *Capoccio*, came to bad termes with the Biſhop of *Paris*, in a meeting of many Biſhops. For *Paris* having diſliked the courſe of determining by plurality of voyce, and the other anſwering that all Biſhops were equall, *Paris* asked him how many ſoules were under his charge; who anſwered that he had five hundred: then *Paris* replied, that, in regard of his perſon, he yeelded unto him, but in reſpect of thoſe who were repreſented by the one and the other, he that ſpake of five hundred, ought not to be made equall to him that ſpake of five hundred thouſand.

The French Ambaſſadours are received in congregation, and one of them maketh an Oration.

Things ſtanding in theſe termes, there was no Congregation made untill the 20 day: in which the French Ambaſſadours (who had imparted their inſtructions to the Imperialiſts, and held correſpondence, according to the command of their Maſter) preſented themſelves. The *Mandat* of their Ambaſſage being exhibited and read, *Guido Faber* made a long Oration, in which, having expounded the continuall deſire of the King, that the Councell ſhould be aſſembled in a fit place, not ſuſpected, and the requeſt he had made to the Pope and all Chriſtian Princes for it, he told them what fruit might be expected from the opening of it. Hee added, that as thoſe doe much erre who would innovate all the rites of the Church ſo to maintaine all of them obſtinately, not conſidering the ſtate of the preſent times, and the publike good, deſerveth no leſſe reprehenſion. He declared very particularly the temptations which the devill would uſe, to divert the Fathers from the right way, ſaying, that if they gave eare to him, they would make Councels loſe all authority; adding, that many Councels have been held in *Germany* and *Italy*, with no fruit, or very little, of which it was ſaid that they were neither free nor lawfull, becauſe they were governed by the will of another; that they ought to be carefull to uſe well the power and liberty given them by God. For if, in private cauſes, they deſerve ſevere puniſhment, who doe gratifie any man againſt juſtice, they deſerve it much more, who, being judges in cauſes divine, doe follow popular applauſe, or ſuffer themſelves to be made gowned ſlaves to the Princes, to whō they are obliged; and ſaid that every one ſhould examine himſelfe what paſſion doth poſſeſſe him. And becauſe the defects of ſome former Synods have made a prejudice to this

this, it is fit to ſhew that thoſe things are paſt, that every one may diſpute without being burned, that publike faith is not broken, that the holy Ghoſt is to be called for from heaven only, and that this is not that Councel, which was begunne by *Paul* 3. and proſecuted by *Julius* 3. in turbulent termes, and in the midſt of armes, which was diſſolved without doing any thing that was good, but a new, free, peaceable, and lawfull Councell, called according to the ancient cuſtome, to which all Kings, Princes, and Republiques, doe give conſent, to which *Germany* will runne and bring with it the authors of the new diſputes, the moſt grave and eloquent men which it hath. He concluded, that they Ambaſſadours did promiſe, to this end, the aſſiſtance of the King. It ſeemed that ſome of the Fathers, and of the Legats themſelves, did not take thoſe words well; to which the *Speaker* not knowing what to anſwere, nor what complement to make, the Congregation ended with the Oration. 1562 PIUS 4 FERDINAND ELIZABETH. CHARLES 9. To which the *Speaker* knoweth not what anſwere to make.

The next day, the ſame Ambaſſadours went to the Legats, aſſembled for that purpoſe, where they excuſed the French Prelates for not comming, in regard of the tumults, promiſing that when they were ended, as they hoped they would be ſhortly, they ſhould come with ſpeed. Afterwards they declared that the *Hugonots* doe ſuſpect the *continuation* of the Councell, and do require a new; that the King had treated hereof with the Emperour, who deſired the ſame, at the inſtance of the *Confeſſioniſts*; that he had demanded the ſame alſo of the Pope: who anſwered that the difference was only betweene them and the King of *Spaine*, and that it concerned not him, but referred it to the Councell. Therefore they demanded a declaration, in plaine termes, that the *Indiction* is new, and not in theſe words, *Indicendo continuamus, & continuando indicimus*, which is an ambiguity not befitting Chriſtians, and implieth a contradiction; and ſaid, that the Decrees already made by the Councell, are not received by the French Church, nor by the Pope himſelfe, and that *Henry* 2 did proteſt againſt it: that concerning this point, they were addreſſed to them the Legats, becauſe the Pope hath often ſaid that the queſtion of *Indiction* or *continuation* was not his, and that he referred it to the Councell. And having delivered his petition by word, they left it alſo in writing. The Legats, after they had conſulted together, anſwered in writing alſo, that they admitted the excuſe of the Biſhops abſent, but that they could not deferre the diſcuſſion of that which was to be handled in the Councell untill their comming, becauſe the Fathers who were preſent, would be incommodated too much, that they have not power to declare that the *Indiction* of the Councell is new, but to preſide only, according to the tenour of the Popes Bull, and the will of the Synod. The French-men were contented with the anſwere for the preſent, having determined, together with the Imperialiſts, not to proceed further, ſo long as in the acts mention was not made of *continuation*, conſidering that the Spaniards having made requeſts in the firſt Seſſion, that the *continuation* ſhould be declared, and received much contradiction, there was danger that the Councell would have been diſſolved. But the anſwere of the Legats publiſhed by the Frenchmen, that their authority was to preſide according to the will of the Synode, made the Spaniards ſay, that thoſe words did ſubject the Legats to the Councell, whereas indeed The French Ambaſſadors demand of the Legates a declaration that the Councell is new. To whom the Legats anſwer.

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indeed they made themselves Lords over it. And *Granata* said, that it was an absolute dominion to make use of the quality of a servant, and of a Lord also.

The Spaniards require a determination in the point of Residence.

The Legats proposing nothing for the next Session, the Prelates, who favoured residency, beganne to discourse againe of it, and perswaded the Ambassadours of the Emperour, King of *France*, *Portugal*, and all the others, to moove the Legats, that it might be decided in the next Session; alleadging, that it having beene proposed and disputed, it would be a great scandall to leave it undecided, and would shew that it was for some particular interest, seeing that the principall Prelates of the Councell, and the greater number did desire the determination of it. The French-men, together with the Imperialists, made instance that the points of doctrine might not be handled in absence of the Protestants who doe impugne them, untill their contumacy be manifest, in regard the disputation is superfluous, where there is none to contradict, especially there being matter enough besides, in which the world doth agree, that is, a good reformation of manners; that the *English* Ambassadour in *France* had declared, that his Queene would send to the Councell; whence it would follow that the other Protestants would do the like; so that a generall reunion of the Church would succeed: and that one might assure himselfe to see this effected, if a good reformation were made. Cardinall *Simoneta* answered this second proposition, that the businesse seemed easie, but was not so, because all consisted in the disposition of Benefices, in which the abuses proceed from Kings and Princes. This troubled all the Ambassadours, because of the nominations, and dispositions which Princes doe exercise, and especially the French King. But the proposition of the Residence did molest the Legats more; nor were the Fathers pacified with the excuses formerly used, that the matter was not sufficiently digested, that there was not time enough before the Session to make it cleere, and for other considerations. And the heat grew so great, that some of the *Ultramontans* were agreed to protest, and depart. And this was the cause of stopping the motion. For the Ambassadours, fearing that the Councell would be interrupted, and knowing that the Pope would cherish every occasion, ceased to make any further instance, and perswaded the Bishops to be contented to expect; and, for the same cause, they laboured with the Ministers of *Spaine*, that they would not insist any more to have the *continuation* declared: who not only were pacified, but protested also to the Legats, that they did not then demand it: saying, that if others seeke to put the Councell into the flocke, there is no reason their purpose should be covered with the cloake of the King of *Spaine*. The *protestation* pleased the Legats, who were ingaged by their word to the *Marquis*, and knew not how to acquite themselves. Neither was it lesse gratefull to them to deferre the point of Residence; and, that none might change opinion, they drew a writing, which they read in Congregation, that it might there be approved, that in the next Session they should doe nothing but deferre these matters untill another, and that for good respects: and they thought they were disburthened of two great weights. The Session approaching, many who thought themselves much pricked with the oration of the French Ambas-

The Ministers of the French King and Emperor demand of the Legates that the points of doctrine may be deferred untill the comming of the Protestants

But they do all surcease, because the Pope would take occasion hereby to dissolve the Councell.

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ſadour, deſired the Legats to make a ſound anſwere, when the *Mandat* was read in the Seſsion; and Cardinall *Altemps* did perſwade, that by all means it ſhould be ſo, ſaying that the inſolency of that Palace man was to be repreſſed, who was accuſtomed to ſpeake to meane people. The charge hereof was given to *Jo. Baptiſta Caſtello*, the Speaker, with order only to defend the dignity of the Synode, without touching any mans perſon. 1562. PIVS 4. FERDINAND. ELIZABETH. CHARLES 9.

The Pope, after long conſultation, reſolved that the continuation ſhould be declared, let the Emperor doe what he could; thinking that it muſt needs ſucceed well: and diſpatched a Currier to *Trent* with this Commiſsion. This, being arrived the ſecond of June, troubled the Legats very much, in regard of the confuſions which they ſaw would ariſe, and of the diſorder in which the Councell was; and all reſolving uniformely to informe the Pope better ſignifying unto him the things that have been handled, and the Decree already publiſhed, and ſhewing him the impoſſibility to performe his order, the Cardinall *Altemps*, who before had leave to go to *Rome* for other cauſes, went away by poſte the next day, to deliver the meſſage in perſon. But at night another Currier came with letters, that his Holineſſe did referre all to the wiſedome and judgement of the Legats. The Pope reſolveth that the *continuation* ſhall be declared; but ſoone after waveth his opinion.

The fourth of June being come, the Seſſion was celebrated, with the uſuall Ceremonies, and the *Mandats* of the Arch-biſhop of *Salzburg*, and of *France*, were read. Which being done the *Speaker* made an anſwere; and ſaid, that there was hope proviſion would be made againſt all the diſorders of Chriſtendome, by the remedy, which the Pope thought neceſſary, that is, this Councell, begun by the aſſiſtance of the holy Ghoſt, and conſent of Princes; amongſt whom the French King hath ſent men of conſcience and religion, to offer not only aſſiſtance, but obedience alſo to this Synode, which doth no leſſe deſerve it than other Councels, againſt which ill affected perſons have falſely oppoſed, that they have not been lawfull, nor true, though men of piety have ever held them to be Councels, having beene called by him that hath authority, howſoever calumnies have been ſpread by others, that they were not free; againſt which, as alſo againſt the preſent Synode, the treacheries of Sathan copiouſly and acutely repeated by them, the Ambaſſadours, did not prevaile; that the Councell will not make a bad interpretation of their diligent and free admonition not to regard popular applauſe, or follow the will of Princes, but as it doth eſteeme it not to be neceſſary, or rather to be ſuperfluous, ſo it is willing to beleeve that it doth proceed from a good minde, that it might not be forced to ſay any thing againſt its mild and pious purpoſe, and uſuall cuſtome. But to free them the Ambaſſadours from that vaine feare, which they would ſeeme to have, and aſſure them of their true purpoſe, he doth foretell them that the effects will ſhew that the Councell will poſtpoſe the deſires, will, and power of whoſoever to her owne dignity and authority; and promiſeth to King *Charles* what it is able to doe, ſaving faith and religion, for preſervation of his dignity, Kingdome, and State. The Frenchmen were ill ſatisfied with this anſwer, but knew they had deſerved it. Afterwards the Decree was read by the *Maſſe-Biſhop*. That the Synod, in regard of divers difficulties riſen, and to define the points of doctrine, and reformation both together, doth appoint The Seſſion is celebrated, in which the Speaker maketh an anſwere to the Oration of *Pibrac*. Which doth not pleaſe the French-men. The decree.

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point the next Session to be held the tenth of July, to handle what shall be thought fit both of the one and the other matter: reserving power to abridge or prolong the time in a generall Congregation. And there were 35 Prelates who desired that the point of Residence should then be handled. Some proposed also that the *continuation* should be declared, which was thought to be done, to raise some tumults, to make the Councell dissolve. For they were of those who were most obliged to *Rome*, and therefore did repent that they had spoken their opinion so freely in the point of Residence, so much abhorred by the Court. But all the rest being silent, the Session ended.

Order given for the matter of the next Session.

The sixt day a generall Congregation was held, to give order for that which should be handled in the next Session; and the Articles concerning the communion were proposed. Whether all the faithfull are necessarily, and by Gods Commandement, bound to receive both kinds in that Sacrament? Whether the Church doth upon good ground communicate the *Laiques* with the bread only, or hath erred herein? Whether all Christ and all his graces are received as well under one kinde as under both? Whether the reasons which have mooved the Church to give to the Laity the Communion of the bread only, ought to induce it also, not to grant the Cup to any? If it shall appeare that it may be granted to some for honest causes, upon what conditions it may be done? Whether the Communion be necessary for infants, before the use of reason? The Fathers were demanded if they were pleased that that matter should be handled, and whether they would adde any thing unto it. And although the French Ambassadors, and many of the Prelates did thinke fit that the points of doctrine should not be handled, untill it did appeare whether the Protestants would come or not, it being evident, that, in case they should be contumacious, the discussion would be in vaine, as not necessary for the Catholiques, and not accepted by the others, yet none opposed, at the earnest perswasions of the Imperialists, who hoped to obtaine the Communion of the Cup; which would be a beginning to give *Germany* satisfaction. It being resolved that the sixe Articles should be handled, and the Divines speake first, and then the Prelates, it did appeare that all the time untill the Session would be spent in this only, eighty eight Divines being to speake, and many Prelates to give their voyces. Therefore some said, that there was no need of any great consideration to be had of these points, because they were fully discussed in the former assembly under *Julius*, but that a briefe and sound examination might serve, so that they may be determined in a few dayes, and all the other time may be spent in the reformation. They said that Article of residency had beene already proposed, and examined in part, and that it was meet that it should once be ended. This opinion was openly followed by thirty Fathers, and it appeared that it was secretly approoved by many more, who would have shewed themselves in the conclusion. But Cardinall *Simoneta*, desiring to interpose a delay, by saying that it was not meete to handle that matter untill mens mindes were pacified, which had beene mooved by the formet difference, which will not suffer them to discerne the truth, opened a gate to *John Baptista Castagna*, Archbishop of *Rosano*, and to *Pompeius Zambecca-*

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rus Bishop of *Sulmona*; both which speaking hotly and sharpely, raised such a tumult that they feared some inconvenience. For remedy whereof the Cardinall of *Mantua* prayed those of the residence to be quiet, promising, that in another Session, or when they handled the Sacrament of order, this should be discussed. The tumult being thus appeased, and it appearing, that the resuming of the points handled under *Julius*, would spend more time, and be more difficult than to examine them againe, as hapneth to a judge who is to frame his sentence upon a processe made before another, a resolution was taken, that the Divines should speake of them, and a congregation be held twice a day, in which two of the Legats should assist (so dividing their charges, that they might make an end the sooner) and of the Prelates as as many would; and that they should have two dayes to study, and begin the third. With this conclusion the Congregation ended. But *Simoneta* was offended with the promise which *Mantua* made, without consent or participation of his Colleagues, and made an open quarrel. *Mantua* was blamed by the Prelates who favoured the Court, and calumniated to be ill affected; but, by the sincere, was commended for his wisedome, who, in a dangerous necessity, took a course to withstand the divisions and Protestations which were prepared, and blamed *Simoneta* for being offended, because *Mantua*, much more eminent than he, trusting upon the consent of *Seripando* and *Varmiense*, whose opinion he knew, might thinke that a resolution taken by necessity, ought to have beene ratified by him also.

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The Card. of *Mantua* promiseth that the point of Residence shall be discussed.

Wherewith C. *Simoneta* is much offended

The next day the Emp. Ambassadors having obtained, as they desired, the proposition of the Chalice, for which untill then they had proceeded with respect, came to the Legats, and presented to them, according to the instruction of their Prince, twenty points of reformation. 1. That the Pope would be content to make a just reformation of himselfe and the Court of *Rome*, 2. That if the number of Cardinals cannot be reduced to twelve, yet that it be brought at the least to the double of it, with two supernumerary, so that they may not exceed sixe and twenty. 3. That no scandalous dispensations may be granted hereafter. 4. That the executions against the common Lawes may be revoked, and all the Monasteries subjected to the Bishops. 5. That *plurality* of Benefices be taken away, and Schools erected in Cathedrall and Collegiate Churches, and that Ecclesiasticall offices may not be bought and sold. 6. That Bishops may be compelled to reside, and not exercise their office by *Vicars*, and if they be not sufficient, that the charge may not be committed to one *Vicar*, but to many persons, and that the Visitations, and Diocesan Synods, may be made every yeere. 7. That every Ecclesiasticall Ministery be exercised freely, and that rich Benefices, without cure, may be incorporated to those that have cure, and small revenues. 8. That the Canons against Simony may be revived. 9. That the Ecclesiasticall constitutions be abridged, the superfluity cut off, and not made equall to the obligations of the Law of GOD. 10. That excommunication be not used but for mortall sinne, or notorious irregularity. 11. That Divine Service be so said, as that it may be understood by him that saith it, and by him that heareth. 12. That the *Breviaries* and *Missals* be corrected, and those things taken away which be not found in the Scripture, as

The Emperors Ambassadours propose to the Legats twenty points of Reformation.

also

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alſo the prolixity. 13. That in celebrating the divine offices in Latine, prayers be intermingled in the vulgar. 14. That the Clergie and Monaſticall order be reformed, according to the ancient inſtitution, and that ſo great riches may not be adminiſtred ſo ill. 15. That it be conſidered whether it be expedient to remit ſo great obligations of the poſitive Law, abating ſome of the rigor, in the difference of meats and faſts, and granting marriage of Prieſts to ſome nations. 16. That, to take away the diverſity of opinions, the divers *Poſtils* be forbidden to be read, and one made by publike authority, and likewiſe a new *Ritual*, which may bee followed by all. 17. That a way be found, not to chaſe away bad Pariſh Prieſts, becauſe that is eaſie, but to ſubſtitute better. 18. That in great Provinces many Biſhoprickes be erected, converting rich Monaſteries to this uſe. 19. That, for Eccleſiaſticall goods uſurped, perhaps it was better at that time to paſſe them over with diſſimulation. In the end to ſay ſomething to pleaſe the Pope, and to pacifie him if he were angry for theſe propoſitions, he added: 20. That the Legats ſhould endeavour, that no unprofitable queſtions, which breed ſcandall, as whether Reſidence be *de jure divino*, and the like, ſhould be propoſed; and that the Fathers ſhould ſpeake without choler, and not make themſelves a fable to the adverſaries. Concerning the 17. they gave ſome particular notes, to reduce thoſe who were leſt obſtinate amongſt the Sectaries, by ſending them to ſome Univerſity where they may be inſtructed, in a ſhort time, and giving order to the Biſhops, who have no Univerſity, to make a Colledge in the next, for the youth of their Dioceſes, to make a Catalogue of the Doctors which are to be read in the Schooles, prohibiting that any others be read.

Who anſwere that they cannot be propoſed in the next Seſſion.

The propoſitions being underſtood, the Legats, retiring firſt, and conſulting together, returned and made anſwer; that it was not poſſible to propoſe them the next Seſſion, having, at their inſtance, that matter of the Chalice upon their hands, of great importance and difficultie; that the things propoſed are divers, and concerne divers ſubjects, which cannot be all digeſted together; that therefore they would communicate to the Prelates, as occaſions were offered, thoſe which had affinity with the other reformations. The Ambaſſadours knew that they ſpake this that they might not publiſh their writing in congregation, that, by gaining time, they might delude the Emperours expectation. But yet, at that time, they ſaid no more. Afterwards, conſulting together, they held it expedient to informe the Emperor well, as well of this particular, as generally of the manner how they proceeded in the Councell. And to doe this, the Biſhop of *Prague* rode poſt, that he might returne before the Seſſion. The Legats, perceiving that the Councell ſtood upon bad termes, in many reſpects, but eſpecially for the diſtaſte and ſuſpicion of the Pope, thought it neceſſary to informe him fully of all that was paſt, and imminent. For this, Friar *Leonardus Marinus*, Archbiſhop of *Lanciano*, was choſen, becauſe he was a man of ſpirit and acceptable to the Pope, promoted and much favoured by him, and a friend alſo to *Seripando*; whoſe inſtruction was to informe the Pope fully, to excuſe the Legats and to pacifie his Holineſſe. He carried the common Letters of the Legats for his credence, to which *Simoneta* made much and long difficulty to ſubſcribe,

The Biſhop of *Prague* goeth by Poſt to informe the Emperour of the ſtate of the Councell

And the Archbiſhop of *Lanciano* to informe the Pope.

ſcribe, nor would have done it, but that they agreed that every one ſhould write particular letters of his owne. *Simoneta* wrote, that he did thinke to ſend the Archbiſhop of *Roſano*, for his particular, to give a more exact information, but that, being better adviſed, he afterwards reſolved to expect the event of *Lanciano* his journey. 1562. PIVS 4. FERDINAND. ELIZABETH. CHARLES 9.

The mutuall diſtaſts; and detractions of the Romans againſt the Trentines, and of theſe againſt thoſe, did increaſe at the arrivall of every Currier. In *Trent*, the favourers of reſidence did bewayle the miſeries of the Church, the ſervitude of the Councell, and the manifeſt deſparation to ſee the Church reformed in *Rome*. The oppoſites lamented, that a Schiſme was plotted in the Councell, yea, an Apoſtacy from the Apoſtolike Sea. They ſaid that the *Ultramontans*, for malice and envy againſt the Italians, did aime not ſo much at the depreſſion, as at the abolition of the Papacy; which being the foundation of the Church, becauſe CHRIST hath made it ſo, the totall deſtruction of the whole building muſt needes enſue. The Pope, receiving new advices daily, and alwayes worſe, as every day ſome novity did happen in *Trent*, beſides the accidents occurring in *Germany* and *France*, contrary to his affaires, was ſtill more diſpleaſed. The opinion of the major part for reſidency, did not ſo much trouble him, as the practiſes which were made, eſpecially by the Ambaſſadors, perceiving that the Princes were intereſted in it againſt his authority. He ſaw the Emperor was wholly bent to make his ſon King of the Romans, and ready to give all ſatisfaction to *Germany*; and therefore had cauſed theſe Articles of reformation to be preſented to the Legats, and called to him the Amb. *Prague*, to find a way how to propoſe them in Councell, and eſtabliſh them. He knew the French King was exhauſted, compaſſed with infinite difficulties, & in danger to be forced to compound with the Hugonots, which if it happen, the French Prelates may run to the Councell, joyne with the Spaniards, and make themſelues authors of other propoſitions againſt the Papall authority. He thought to calme the tempeſt, which he ſaw prepared againſt him, both with deeds and words, by levying foure thouſand *Suiſſes*, and three thouſand Dutch horſe-men; he ſent to *Avignion Nicolas Gambara* with five hundred foot, and an hundred light-horſemen; gave money to the Duke of *Savoy*, to put himſelfe in armes, and oppoſe, if the Hugonots would deſcend into *Italy*. And to engage al Princes, he reſolved to treat a league defenſive of all Catholiques, againſt the plots of the Proteſtants in every place, holding it to be an eaſie thing to make them condeſcend, if for no other cauſe, yet for this, at the leaſt, to free themſelves from ſuſpicion. In *Italy* hee thought it not hard to induce all. For the Duk of *Florence* was wholly his; In *Savoy* he had intereſt, for the ſuccours he ſent him, and for the danger he was in; the Venetians deſired to keepe the *Ultramontans* out of *Italy*; the King of *Spaine* had need of him for *Naples*, and *Milan*, and *France*, for the actuall neceſsity in which he was. Therefore he made the propoſition in *Rome* to the Emperors Ambaſſador, and the Venetians, and ſent the Abbat of S. *Saluto* for this end into *France*, and the Lord *Odeſcalco* into *Spaine*; to whom alſo he gave inſtruction, to complaine to the King that the Spaniſh Biſhops were united againſt his authority, and to ſhew him that the propoſitions of the Emperour were fit to

The Pope treateth a common league of all Catholike Princes againſt the Proteſtants.

make

1562 make a Schisme. It was easie to foresee the issue of that project, to any that did know, though but superficially, the ends of the Princes. The Emperor would by no meanes condescend to any thing that might give suspicion to the Protestants; the French King was so farre from hindering the passage to the Hugonots in *Italy*, that he would have beene content to have seene his whole Kingdome rid of them; *Spaine* having great possessions in those parts, did more feare and abhorre an union of Italian Princes, than desire the ruine of the heretikes; the Venetians and Duke of *Florence* could not consent to any thing, which might trouble the peace of *Italy*. And so it happened that the proposition of the league was not imbraced by any of the Princes, every one alleadging a particular cause, and all one common, that it would hinder the progresse of the Councell; which many beleeved would not have displeased his Holinesse: and the rather because he proposed againe in Consistory the declaration of the Continuation, and that himselfe would make a declaration concerning Residence. Which things he did not performe, in regard of the opinion of Cardinall *Carpi*, followed by the greater part of the other Cardinals, that it would not be good service for his Holinesse, nor the Apostolike Sea to make himselfe author of odious things, which might alienate the mindes of one party, and that it was better to leave them in the liberty of the Councell for that time.

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The Pope complaineth of the Ambassadours.

Notwithstanding he did not forbeare to complaine in Consistory of all the Ambassadours. Of the French he said, that *Lansac* seemed to be an Ambassador of the Hugonots, by his propositions, desiring that the Queene of *England*, the Protestants of *Switzerland*, *Saxony*, and *Wittemberg*, should be expected at the Councell, who are declared enemies and rebels, and have no other end than to corrupt the Councell, and make it Hugonot; which he said himselfe would preserve, and have forces to doe it. That he also and his Colleagues defended some, who disputed the authority of the Councell to be above the Pope, which opinion is hereticall, and the favourers of it are heretiques, threatning to persecute and chastise them. He said they lived like Hugonots; that they did no reverence to the Sacrament; that *Lansac*, at his table, in the presence of many Prelates invited, had said, that there would come so many Bishops out of *France* and *Germany*, that they would chase the Idol out of *Rome*. He complained of one of the Venetian Ambassadors, and sent his Master word of him. He said of the Cardinals, *Mantua*, *Seripando*, and *Varmiense*, that they were unworthy of the *Cap*. Of the Prelates he spake as occasion was offered, and perswaded the friends of each of them to write unto them. All this was done and said by him, not because he beleeved it, or for intemperance of his tongue, but by Arte, to force every one, some for feare, some for shame, some for civility, to make his Apologie to him, which he did most easily receive, and readily beleeve. And its incredible how his affaires were advanced by this meanes. For he gained some, and caused the others to proceed more warily, and remisly. Whereupon his naturall courage reviving in him, which was still full of hope, he said, that all were united against him, but that, in the end, he would make them all be reunited in his favour, because they have all need of him, some demanding assistance, and some graces.

And of three of the Legates.

That he might force them to make their Apologies.

Amongst

Amongſt the Prelates which the Pope ſent laſt to the Councel from *Rome*, as hath beene ſaid, there was one *Charles Viſconte*, Biſhop of *Vintimiglia*, who had beene Senator of *Milan*, and imployed in many Ambaſſages, a man fit for negotiation, and of an exact judgement. Having loaded this man with promiſes (which he performed alſo, creating him Cardinall in the firſt promotion after the Councell) he deſired to have him in *Trent* beſides the Legats, as a ſecret Miniſter. He gave him commiſſion to ſpeake that to divers which was not fit to be commited to writing, to marke well the differences betweene the Legats, and the particular cauſes thereof, to obſerve exactly the humors, opinions, and practiſes of the Biſhops; and to write to him particularly all matters of ſubſtance. He charged him to obſerve the Cardinall of *Mantua* above all the Legats, but to holde intelligence with *Simoneta*, who knew his minde, and to labour that there ſhould be no more any demand made for the declaration concerning reſidency; or, if it could not be hindred, that it ſhould be deferred untill the end of the Councell; and that, if that alſo could not be obtained, he ſhould delay it as long as it was poſſible, uſing all meanes which he thought expedient for this ende. He gave him alſo a liſt of the names of thoſe who favoured the Roman part in that matter, with commiſſion to thanke them, and encourage them to continue, and to promiſe them recompenſe: referring to his diſcretion, intreating with the oppoſites, to uſe ſome kinde of threats, without ſharpneſſe of words, but ſtrong in ſubſtance, and to promiſe to thoſe that would relent, oblivion of all that is paſt, and to give particular advice to Cardinall *Boromeo* of whatſoever did happen: which he did. And the regiſter of the letters written by him, with much acuteneſſe, and judgement, hath beene ſhewed me, out of which a great part of thoſe things which follow hath beene drawne.

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The Biſhop of *Vintimiglia* is the Popes ſecret miniſter in the Councell.

But having received adviſe of the promiſe made by *Mantua*, he ſaw it was hard to divert the handling of that Article, and thought that the diſſention betweene the Legats would produce greater evils, and eſteemed this to be the moſt principall point, as well in deed, as for reputation. For how could he hope to repreſſe the attempts of the miniſters of other Princes, when he could not governe his owne? Therefore he thought it neceſſary to uſe the ſtrongeſt medicines, for a diſeaſe that had ſeized on the vitall parts; and reſolved to ſhew openly how ill he was ſatisfied with *Mantua*; which he thought would either make him alter his courſe, or aske leav to depart, or, by ſome means, to retire from *Trent*: and if the diſſolution of the Councell did inſue, it was ſo much the better. He gave order that the diſpatches to *Trent*, formerly addreſſed to him, as prime Legat, ſhould hereafter bee directed to *Simoneta*, he remooved, from the congregation of Cardinals, who were to conſult of the affaires of *Trent*, the Cardinall *Gonzaga*, and cauſed *Frederico Boromeo* to tell him that the Cardinall, his Uncle, did thinke to ruine the Apoſtolike Sea, but ſhould effect nothing but the ruine of himſelfe, and of his houſe. He related to the Cardinall S. *Angelo*, who was a great friend to *Mantua*, whatſoever had happened, and ſhewed himſelfe moſt cholerike againſt him; and as much againſt *Camillus Olivus*, the Cardinals ſecretary, as not having performed the promiſe he made unto him, when he was ſent to

The diſpatches from *Rome* are ordinarie addreſſed to the Cardinall of *Mantua*.

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Rome. Which coſt the poore man very deare. For howſoever the Pope and the Cardinall were reconciled, yet after his death, returning to *Mantua*, with the corps of his Maſter, he was impriſoned by the *Inquiſition*, upon divers pretences, and troubled a long time; whom, after his perſecutions were ended, I knew my ſelfe to be a perſon very vertuous, and that he had not deſerved ſuch misfortunes.

Whoſe Secretary alſo *Camillus Olivus* is in disgrace with the Pope.

When the Pope was thus affected, *Lanciano* came to *Rome*; and amongſt other things, preſented to his Holineſſe a Letter ſubſcribed by more than thirty Biſhops, in favour of reſidency. In which they complayned of his diſtaſte againſt them, proteſting they did not thinke their opinion was contrary to his authority, which they would defend againſt all, and maintaine it inviolable in all parts. This made a miraculous diſpoſition in the Popes minde to receive kindely the Letters of the Legates, *Mantua*, *Seripando*, and *Varmienſe*, and to give eare to the relation of the Arch-biſhop, who gave him a particular account of all occurrences, and made him a great deale leſſe ſuſpicious. Then he began to excuſe the Cardinals, that, in the beginning, not being able to foreſee that any inconvenience could happen, they did diſcover the opinion which in their conſcience they did holde, and after that contentions did ariſe, without their fault or defect, their adherence to that part was honourable for his Holineſſe and the Court. For now it could not be ſaid, that the Pope and all the Court were oppoſite to an opinion, which the world held to be pious and neceſſary. And this hath ſucceeded well. For hereby they have gained credit and authority with the Prelates, and have beene able to moderate the raſhneſſe of ſome, who, otherwiſe, would have made a great diviſion, to the great dammage of the Church. He related the frequent and effectuall perſwaſions, which they made to quiet the Prelates, and the affronts alſo which they received from ſome, who told them they could not be ſilent againſt their conſcience. He ſhewed the dangers and neceſſity which forced *Mantua* to make the promiſe. He added, that the greater part of the Prelates, to take all ſuſpicion out of the minde of his Holineſſe, did offer to declare in the next Seſſion, that he was Head of the Church, and had given him commiſſion to deliver the Ambaſſage to him, which, for many reſpects, they thought not fit to commit to writing; and named ſo many of them, that he made the Pope marvail, and ſay, that bad tongues, and worſe pens had painted the Fathers in other colours. Then he ſhewed him the union, and reſolution of the miniſters of Princes to maintaine the Councell, and the diſpoſition of the Prelates to ſupport any thing, that it might continue, and no occaſion ariſe to diſſolve it; that the point of reſidence was ſo advanced, and the Fathers ſo intereſted, in regard of their conſcience and honour, and the Ambaſſadours for their reputation, that it was impoſſible to deny the handling and defining of it. He gave him an account, and a copy of the propoſitions of the Emperors Ambaſſadors, ſhewing they did all aime to ſubject the Pope to the Councell, and that the Cardinall of *Mantua* did dexteriouſly decline the propoſing of them in Congregation. He concluded, that, it being impoſſible to recall that which was paſt, his Holineſſe might attribute much unto chance, pardoning, according to his uſuall benignity, that which formerly

The negotiation of the Arch-biſhop of *Lanciano* with the Pope.

merly had happened, not by malice, but by negligence of ſome, and might make better proviſion for hereafter, becauſe all were reſolved not to propoſe or handle any thing, before it was conſulted and determined by his Holineſſe. 1562

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The Pope, weighing the remonſtrance well, ſent preſently backe the Arch-biſhop, with Letters to the Legats, and to ſome of thoſe who had ſubſcribed the letters to him, in anſwere of the Letters which he brought, and gave him commiſſion to tell them all in his name, that his will was the Councell ſhould be free; that every one ſhould ſpeake, according to his conſcience; that they ſhould make Decrees according to truth; that he was not diſpleaſed becauſe the voyces were given more after one manner than another, but in regard of the attempts and practiſes to perſwade and violence others, and of the contentions and bitterneſſe betweene them, which things doe not become a generall Councell. Therefore that hee doth not oppoſe the determination of reſidence, but adviſeth them to lay aſide their heat and that when their minds are quieted, and doe aime only at the ſervice of God, and benefit of the Church, they may handle it with profit. He was content it ſhould be told *Mantua* that he was glad to underſtand of his innocency, and affection, and that he will give a demonſtration thereof; praying him to labour that the Councell may bee quickely ended, becauſe, by the diſcourſe he hath had with *Lanciano*, he hath underſtood that it may be concluded in September. And, in conformity hereof, he wrote a letter to the Legats, that, following the ſteps of the Councell, under *Julius*, and taking the points already digeſted by it, they ſhould immediatly determine them, and made an end.

The Arch-biſhop is ſent back to *Trent* with letters and inſtructions.

At that time they were buſied in *Trent*, in hearing the Divines ſpeake in the Congregations, concerning the ſixteene Articles, who began the ninth, and ended the three and twentieth of the moneth; and howſoever they were in number 60. yet nothing worthy obſervation was delivered by any, in regard the matter being new, never handled by the Schoolemen, defined in the Councell of *Conſtance* at the firſt onſet, and maintained by the Bohemians by force of armes, rather than by reaſon and diſputation, they had nothing to ſtudy but what was written in the laſt fourty yeeres, by ſome few, excited by the diſputations of *Luther*. Therefore they all agreed, that there was no neceſſity or precept of the Cup; and for proofe, they alleadged places of the new Teſtament, where bread onely is named, as in Saint *John*, *He that eateth this bread ſhall live for ever*. They ſaid that, untill the time of the Apoſtles, bread only was in uſe; as it is read in Saint *Luke*, that the diſciples in *Emmaus* knew CHRIST in breaking of bread, where there is no mention of wine. And Saint *Paul*, ready to ſuffer ſhipwrack at the Sea, doth bleſſe the bread, and ſpeaketh not of wine. In many of the old Canons mention is made of the communion of the Laity, as differing from that of the Clergie, which difference could not conſiſt in any thing but in the Cup. To thoſe were added the figures of the old Teſtament. Manna, which ſignifieth the *Euchariſt*, hath no drinke in it. *Jonathan*, who taſted the hony, did not drinke; and ſuch other congruities. And it was a matter of great patience to heare them all repeate the ſame things. I ought not to omit one

The communion of the Cup is diſcuſſed.

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The opinion of *James Payva* a Portugall.

particular, seriously delivered by *James Payva*, a Portugal, that CHRIST, both by precept and example, hath declared that the bread is due to all, and the Cup to the Priests only. For having consecrated the bread, he gave it to his disciples, who then were Laikes, and represented the whole people, commanding they should eate of it; afterwards he ordained them Priests, in these words, *Doe this in remembrance of me*; and, in the end, he consecrated the Cup, and gave it to them now consecrated Priests. But the wiser sort did lightly passe over this kinde of argument, and confined themselves to

Two principall arguments against the communion of the Cup.

two. One, that the Church hath power from CHRIST to change the things that are accidentall in the Sacraments, and that to the *Eucharist* both kindes are necessary, as it is a sacrifice, but as it is a Sacrament, one only, so that the Church hath power to ordaine the use of one alone. Which they confirmed, because it did once, in the beginning, change in Baptisme the invocation of the Trinity into the invocation of CHRIST only, and returned afterwards to the divine institution. The other reason was, that the Church cannot erre; but she hath suffered the use of bread onely to be brought in; and finally hath approved it, in the Councell of *Constance*, and therefore it must be said that there is no divine precept or necessity to the contrary. But Friar *Antonius Mandolphus*, a Divine, belonging to the Bishop of *Prague*, having first affirmed that he was of the opinion of others in this, that there was no divine precept observed, that it was as contrary to the Catholique doctrine to give the Cup to the *Laikes* by divine precept, as it was to deny it to them by divine precept. Therefore all those reasons, which did so conclude, were to be laid aside, and those of the disciples in *Emmaus*, and of Saint *Paul* in the ship, because by them it would be concluded that it was not sacriledge to consecrate one kinde without the other, which is contrray to all the Doctors, and meaning of the Church, and overthroweth the distinction of the *Eucharist* as it is a Sacrifice, and as it is a Sacrament. That it was plaine also, that the distinction of the Laicall and Clericall Communion in the *Romane Ordinary*, was a diversity of places in the Church, not of the Sacrament received, because otherwise this reason would conclude, that, not only those who say *Masse*, but all the Clergie should have the Cup. Of the authority of the Church in changing the accidentall things of the Sacraments, no man can doubt; but he said it was not a time to dispute whether the Cup were accidentall, or substantiall. He concluded that this Article might be omitted, as already decided in the Councell of *Constance*, and that the fourth and fifth Articles might be exactly handled, because, granting the Cup to all Nations that desire it, all other disputations are superfluous, yea hurtfull. *John Paul* a Divine of the Bishop of five Churches, spake also to the same purpose, and both of them did displease, because it was thought they speake their conscience, at the instance of their masters.

Concerning the second Article, the Divines were also uniforme in the affirmative, and all their reasons were reduced to three Heads. The congruities of the old Testament, when the people did participate of the meat offerings in the sacrifices, but never of the drinke offerings, to take away from the vulgar occasion to beleeve that one thing is contained under the bread, another under the wine. The third the danger of irreverence. And here the

reasons

reaſons recited by *Gerſon* were brought; that the blood might be ſhed, either in the Church, or in bringing of it, eſpecially over the Mountaines in winter, that it would hang in the beards of the Laikes; that it would bee ſower if it were kept; that there would want veſſels to hold enough for ten thouſand or twenty thouſand perſons; that, in ſome places, it would be too great a charge, in reſpect of the price of wine; that the veſſels would not be kept cleane; that a Lay man would be of equall dignity with a Prieſt. Which reaſons it was neceſſary to ſay that they were juſt and good; otherwiſe the Prelates and Doctors, for ſo many ages, would have taught an untruth, and the Church of *Rome*, and Councell of *Conſtance* erred. All the reaſons (except the laſt) were thought ridiculous, becauſe thoſe dangers might be more eaſily withſtood in thoſe times, than they could in thoſe 12 firſt ages, when the Church was in greater poverty. And the laſt ſeemed to be of no force to ſhew that the change was reaſonably made, but was good to maintaine it after it was made. The two Divines aforenamed did adviſe that this Article alſo might be omitted. 1562 Pius 4 Ferdinand. Elizabeth. Charles 9.

In the third Article, that all Christ is received under one kinde, the doctrine of *concomitancy*, delivered by the Divines, was taken for an argument. For the body of Christ being under the bread, by vertue of the *conſecration*, Christ having ſaid, by words omnipotent and effective, *This is my Body*, and the body being alive, it muſt needes have blood, ſoule, and divinity: ſo that all Christ was undoubtedly received under the bread. But ſome inferred hereby, that therefore all graces are received in it, ſeeing that he who hath all Christ wanteth nothing, becauſe he is abundantly ſufficient. Others ſaid to the contrary, that the illation was neither neceſſary, nor probable. For thoſe who are baptized, are filled with Christ, as S. *Paul* ſaith, and yet other Sacraments are given unto them. And becauſe ſome avoyded the force of the reaſon by ſaying, that the other Sacraments are neceſſary in reſpect of ſinnes committed after Baptiſme, it was replied that the ancient Church did immediatly communicate the baptized, ſo that, as from being filled with all Christ in Baptiſme, it cannot be inferred that the Euchariſt doth not conferre other graces, ſo from having received all Christ under the bread, it cannot be inferred that no other grace is to be conferred by the blood; neither can it be ſaid, without great abſurdity, that the Prieſt in the *Maſſe*, having received the Body of our Lord, and, by conſequence, all Christ, doth not receive any grace in drinking of the Cup: for otherwiſe to drinke of it, would be a worke indifferent and vaine. Moreover it is decided, by the common doctrine of the Schooles, and of the Church, that by every Sacramentall action, by vertue of the worke it ſelfe, which they call *Ex opere operato*, a degree of *grace* is conferred. But it cannot be denied that to drinke the blood of Christ is a ſacramentall action, therefore it cannot be denied, that it hath a ſpeciall *grace* annexed. In this controverſie the greater part of the Divines held, that, not ſpeaking of the quantity of *grace*, anſwerable to the diſpoſition of the receiver, but of that which the Schoolmen call ſacramentall, it was equall in him that received one kinde only, and in him that received both. The other opinion was defended, though with the ſmaller number, yet more earneſtly. Friar *Amante Servita*, a *Breſcian*, a

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Divine of the Bishop of *Sebenico*, a favourer of this second opinion, passed very far, I know not with what aime or end: who, alleadging the doctrine of *Thomas Cajetane*, that blood is not part of humane nature, but the first aliment, and adding that it could not be said, that the body doth necessarily draw in *concomitance* its aliment, did inferre that the thing contained under both kinds is not absolutely the same: and he added, that the blood of the *Eucharist*, according to the words of CHRIST, was blood spilt, and, by consequence, out of the veines, in which if it remained, it could not be drinke, so that it could not be drawne in *concomitancy* with the veine, and that the *Eucharist* was instituted in memory of the death of CHRIST, which was by separation, and effusion of blood. Whereat there was a noise raised amongst the Divines, and a cracking of the benches. Therefore, recalling himselfe, he retracted, and said that the heat of disputation had caried him to alleadge the reasons of the adversaries, as if they had been his owne, which notwithstanding he purposed to resolve in the end; and he spent the residue of his discourse in resolving them; and in conclusion, asked pardon of the scandall given, because he had not spoken with such caution, as to shew plainely that those reasons were captious, and contrary to his owne opinion. And he made an end without speaking of the other three Articles.

Fryar *Amaute* concurreth in opinion with the Lutherans.

But presently recanteth, and asketh pardon.

The 4 Article that the Cup is not to bee allowed to the people, is strongly maintained by the Spanish Prelats.

But, concerning the fourth Article, the Spanish Divines, and dependants on *Spaine*, were marvellously united, in giving counsell that, by no meanes, the use of the Cup should be permitted to *Germany*, or others. The substance of that which they said was, That none of the causes which formerly mooved the Church to take it from the people being ceased, yea being now more urgent, and others more strong and essentiall annexed, it was fit to persevere in the determination of the Councell of *Constance*, and of the Church before and after. And discoursing of the dangers of irreverence which was the first kinde of the causes, they said they were now more to be feared, than in former times. For then there was none who did not constantly beleeve the reall and naturall presence of CHRIST in the Sacrament, after the consecration, so long as the kinds did last, and yet the Cup was taken away, because men had not such regard to the blood of CHRIST, as was necessary; and therefore what reverence can be hoped for now, when some doe deny the reall presence, and some will have it only in the use? Besides there is not so much devotion amongst good Catholiques, diligence in humane affaires, and negligence in divine being much creased; so that it may be feared, that a greater neglect may produce a greater irreverence. To make a difference betweene Priests and others, is now more necessary than ever, because the Protestants have exposed them to the hatred of the people, and spread a doctrine which taketh from them their exemptions, subjecteth them to lay Magistrates, detracteth from their power of absolving from sinnes, and saith also that they should be called to the ministery by the people, and be obnoxious to be deposed by them; which should force the Church to preserve exactly all those rites, which may give them reputation. The danger that the vulgar may receive an impression of false beleefe, and be perswaded that some things is in the Cup, which is not under the bread, is now more urgent, in regard of the new opinions spread abroad.

abroad. Many ſaid, that the Church did prohibite the Chalice, to oppoſe the errour of *Neſtorius*, who did beleeve that all CHRIST was not under one kinde; which being the opinion of ſome of the heretikes now, the prohibition is to be maintained ſtill. What they would inferre by this I cannot expreſſe better, having never read that *Neſtorius* did ſpeake in this ſubject, nor that the Modernes doe handle it with thoſe termes. But the third danger that the authority of the Church would be debaſed, and a concluſion made that it hath erred in taking away the Cup, may be called not a danger, but a thing that would certainly happen; neither was the requeſt made by the Proteſtants, but to conclude, that the Synod having confeſſed the errour paſt, hath corrected it, by this grant; ſo they will publiſh the victory, and demand a change alſo in other conſtitutions of the Church. They ſaid they were deceived, who thought the Dutch-men would be ſatisfied with this, to ſubmit themſelves to the decrees of the Councell; yea, they will take away faſts, difference of meats, demand marriage of Prieſts; and an abolition of Eccleſiaſticall juriſdiction in the exterior Court, which is the marke at which they all do ayme; that it is not credible they are Catholikes who deſire the Cup, becauſe the Catholikes doe all beleeve that the Church cannot erre, and that no devotion is acceptable to God if it be not approved by it, and that obedience to the Church is the height of Chriſtian perfection; that it is certainely to be beleeved, that he that doth demand the Cup thinkes it neceſſary, and he that thinketh ſo, cannot be a Catholique; that none doth demand it beleeving that hee may not lawfully uſe it without the grant of the Councell, but that they may not be hindered by their Princes, who, if they were alone, would uſurpe it, without any allowance; that of this every one may be aſſured, obſerving that, not the people, but the Princes doe entreat, who will not ſuffer a novity without a lawfull Decree, not becauſe the people would not bring it in of themſelves, more willingly, than ſeeke it of the Councell. 1562. PIVS 4. FERDINAND. ELIZABETH. CHARLES 9.

And this argument was ſo preſſed, that Friar *Francis Forier*, a *Portugall*, uſed a conceipt, which the auditors thought not only to be bold, but petulant alſo; that the Princes would make themſelves Lutherans, by permiſſion of the Councell. The Spaniards exhorted them to conſider, that, if this were granted to *Germany*, *Italy*, and *Spaine* would demand the like, to whom it could not be denied; from whence alſo theſe Nations would learne not to obey, and to deſire a change of other Eccleſiaſticall Laws; and that to make a Catholike country Lutheran, and there was no better meane, than to give it the Cup. *Franciſcus Della Torre*, a *Jeſuite*, repeated a ſaying of the Cardinall Saint *Angelo*, the chiefe *Penitentiary*, that Sathan, who was woont to transforme himſelfe into an *Angel* of heaven, and his miniſters into Miniſters of light, doth now under the cover of the Chalice, with the blood of CHRIST, exhort to give the people a cup of poyſon. A petulant ſaying of a Fryar againſt the Princes, who demanded the Cup.

Some added, that the providence of GOD, guiding the Church, inſpired the Councell of *Conſtance*, in the former age, to eſtabliſh the taking away of the Cup, by a Decree, not only for the reaſons which were then of force, but becauſe if it were now in uſe, there would be no externall ſigne, to diſtinguiſh the *Catholikes* from the *Heretikes*, and this diſtinction being taken away

1562 away, the *Proteſtants* would be mingled in the Church with the faithfull, and that would follow which Saint *Paul* ſaith, that *A little leaven doth quickly make ſowre a great lumpe*; ſo that to grant the Cup would be nothing elſe but to give the heretiques greater opportunity to hurt the Church. Some alſo, who knew not the petition had beene preſented to the Pope, and by him, (to unburthen himſelfe, and draw the matter in length) referred to the Councell, did expound it ill, that the requeſt was then made to the Synod, and not to the Pope, ſuſpecting it was to this end, that they might enlarge every grant with unfit interpretations, and ſo cauſe a neceſſity of another Councell.

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But thoſe who thought they might condeſcend to the requeſts of the Emperour, and of ſo many other Princes and people, gave counſell to proceed with leſſe rigour, and not to make ſuch bad interpretations of the godly prayers of the weake brethren, but to follow the precept of Saint *Paul*, to transforme themſelves into the defects of the imperfect, to winne them, and not to have worldly aymes of reputation, but to governe themſelves by the rules of charity, which treading under foot all others, even thoſe of humane prudence, and wiſdome, hath compaſſion, and yeeldeth to every one. They ſaid they ſaw no conſiderable reaſon adduced by the others, but only that the *Lutherans* would ſay that they had prooved that the Church had erred, and would make other demands. But he is deceived who beleeveth that a Negative will make them hold their peace. They have ſaid already that an error hath beene committed, and will ſay hereafter, that obſtinacy is added to it; and where humane ordinations only are in queſtion, an alteration will not ſeeme ſtrange, nor misbeſeeme the Church. Who knoweth not that the ſame thing cannot agree to all times, that there are innumerable Eccleſiaſticall rites eſtabliſhed and aboliſhed; and that it is not againſt the honor of the Councell to have beleeved that a rite hath beene good, which experience hath ſhewed to be unprofitable. To perſwade ones ſelfe that this demand will beget others, argueth too much ſuſpicion, and deſire of advantage; but S. *Paul* ſaith, *that ſimplicity and chriſtian charity doth not thinke evill, beleeveth every thing; ſupporteth all, hopeth well.*

It belonged to theſe only to ſpeake of the firſt Article, becauſe thoſe of the abſolute negative had nothing to ſay of it. But theſe were divided into two opinions. One which was the more common, that it ſhould be granted, upon ſuch conditions as *Paul* the third did grant it, of which we have ſpoken in their place. The other of ſome few, that if they would grant the Cup, to make them ſtand faſt in the Church, who now doe ſtumble, it is meet ſo to temper it, as that it may produce the effect deſired; which thoſe conditions cannot doe, yea would undoubtedly make them fall headlong into *Lutheraniſme*. It is certaine, that the penitent man ought rather to chooſe any temporall evill than to ſinne; yet *Cajetan* gave counſell, not to come to any ſpecificall compariſon, and ſay, that it is better to be put to death with pincers, or upon the wheele, &c. becauſe by this meanes one ſhould tempt himſelfe without neceſsity, and fall from a good diſpoſition, preſenting horrours to himſelfe to no purpoſe. So, in the preſent occaſion, theſe ambiguous men, when the Councels favour ſhall be brought unto them, will reſt

reſt ſatisfied, and thanke GOD, and the Church, and will thinke no more of it, ſtrengthening themſelves by little and little. It is the preciſe commandement of S. *Paul*, to receive the weake in faith, not with diſputations, or preſcribing them opinions and rules, but ſimply, expecting opportunity to give a more ample inſtruction. He that ſhould now propoſe a condition in *Germany*, to beleeve this, or that, would trouble them much, while their minds doe waver, ſo that, thinking whether they ought to beleeve it or not, they will fall into ſome errour, on which they would not otherwiſe have thought. To this reaſon they added, that howſoever it is maintained, that the Church hath, for juſt cauſes, taken away the Cup, if afterwards it doth grant it upon other conditions, without providing againſt thoſe inconveniences, for which it was firſt remooved, it is confeſſed, that it was taken away without cauſe. Therefore they concluded, that it was fit to conſtitute for conditions, all the remedies to the inconveniences, which firſt cauſed the prohibition; that is, that the Cup ſhould never be carried out of the Church, and that the bread only ſhould be ſufficient for the ſicke, that it ſhould not be kept, to take away the danger of ſowerneſſe, that they ſhould uſe little pipes, to avoid effuſion, as formerly was done in the *Romane* Church. This being done, it will appeare that the proviſion was firſt made upon good reaſon, reverence will be ſtirred up, people and Princes will be ſatisfied, and the weake will be tempted no more. A Spaniard ſaid, that it was not ſo eaſily to be beleeved, that the Catholiques did, with ſuch heat of devotion, deſire the Cup, and therefore that it were good to ſend into *Germany*, to be informed who they be that demand it, what their faith is, and what be their motives, that the Synod, receiving the relation, may have a foundation to proceed on, and not ground ones ſelfe upon the words of other.

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In the ſixt Article they all expreſſed themſelves in few words, becauſe there was not much to be ſaid. For the Euchariſt not being a Sacrament neceſſarily, and Saint *Paul* commanding that he who is to receive it, ſhould examine himſelfe whether he be worthy, it doth plainely appeare, that it cannot be adminiſtred to any that hath not the uſe of reaſon; and if the contrary hath been practiſed in ancient times, it hath beene where and when the truth was not ſo well declared as now it is. Therefore the Synod ought to determine that the preſent uſe ſhould be maintained. Some well obſerved that they ought to ſpeake of Antiquity with more reverence, and not ſay that they wanted the knowledge of the Truth. *Deſiderius* a *Carmelite* Friar of *Palermo*, had an opinion by himſelfe, that the Article ought to be omitted; ſaying, that the difficulty being not mooved by the Proteſtants of theſe times, it was not good, by handling of it, to ſet a novity on foot, that the matter was probable on both ſides, and that when it ſhould be knowne that it was handled in the Councel, it would excite the curioſity of many to think on it, & give them occaſion to ſtumble. For ſome might be perſwaded to beleeve that the Euchariſt is a Sacrament of neceſſity, as well as Baptiſme, becauſe the ground of that was the words of CHRIST, *He that ſhall not be borne againe of water and the Spirit, ſhall not enter into the Kingdome of heaven*; and of this, *If ye eat not my fleſh and drinke my blood, ye ſhall not have life.* And the exception of children cannot plainly be grounded upon the precept of S. *Paul*,

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Paul, to examine our selves, which children cannot doe, because the Scripture doth likewise command, that an instruction in the doctrine of Faith ought to precede *Baptisme*: which if it be applyed to men of age, without excluding children of *Baptisme*, who cannot learne, the examination preceding the *Eucharist* may also be applyed to men of discretion, without excluding children from it. His conclusion was that he did approove the use not to give them the communion, but would not have the Councell to handle that which no man opposeth.

The Legats do incline to graunt the Cup to *Germanie*.

The congregation of the Divines being ended, the Legats did incline to grant the Cup to *Germany*, with the condition of *Paul* the third, and some more; and, consulting with their inward friends, framed decrees concerning the first, fourth, and fifth points, deferring the others untill they had better considered how to avoid the difficulties concerning them, related by the Divines. And calling a Congregation of the Prelates, they demanded whether the three decrees should be proposed, that they might speake their opinions of them in the first congregation. *Granata*, who had found the Legats intention, and was most opposite to the grant of the Cup, contradicted, and said, that the order of the Articles was to be followed; which was essentiall, it being impossible to decide the fourth and fifth, untill the second and third were decided. *Thomas Stella*, Bishop of *Capo di Istria*, opposed, and said, that in the Councell they ought not to use *Logicke*, and artifices, to hinder good determinations. *Granata* replyed, that himselfe desired the same; that is, that propositions might be made to the Synod in order, that they might not stumble, by walking in confusion. *Granata* was assisted by *Matthias Callinus*, Arch-bishop of *Zara*, and the other by *John Thomas* of S. *Felix*, Bishop of *Cava*, but using ridiculous jests, rather than any serious discourse; which gave some distaste to the Spaniards, and made a great whispering amongst the Prelates. This caused the congregation to be dismissed; and the Cardinall of *Mantua* exhorted the Arch-bishops to reade and consider of the draughts made, that the order of proceeding might be resolved on in the next Congregation.

And are oposed by the Spaniards.

This place requireth, that, because the Congregations were often ended by reason of some distastes given to some great Prelate, the ordinary cause thereof should be related. It hath beene shewed before that there were many Bishops in the Councell, Pensioners of the Pope, who did all depend on *Simoneta*, because he was most interested for his Holinesse, and had the most secret instructions. He being a man of an acute judgement, made use of them, according to the capacity of every one. Amongst these, he had some that were bold and witty, whom he employed in the Congregations, to crosse those who entred into matters contrary to his ends. These were exercised in the Art of jesting soberly, to provoke others, and make them ridiculous, themselves retaining their gravity, and not being moved at all. The service they did to the Pope, and the Cardinall, doth deserve particular mention. These were the forenamed Bishops, *Cava*, and *Capo di Istria*, *Pompeius Zambeccarus* of *Bolonia*, Bishop of *Sulmona*, & *Bartholomeus Sirigus*, of *Candia*, Bishop of *Castellanetta*; each of which, to the common qualities of their Country, had joyned the perfections which are gained in the Court of *Rome*.

Card. Simoneta the Legat, maketh use of 4 jesting Bishops in the Councell.

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These did exasperate also the distasts betweene *Mantua* and *Simoneta*, before mentioned, by speaking ill, and detracting from *Mantua*, aswell in *Trent* by words, as by letters to *Rome*; which was attributed to *Simoneta*, because every one saw he made much esteeme of them. Whereof purging himselfe to the Secretary of *Mantua*, and to the Bishop of *Nola*, he said, that for the small respect they bare to such a Cardinall, he would not have had any more friendship with them, but that he had need of them in the Congregation, to oppose the impertinences of the Prelates.

The Ambassadour of *Bavaria* is received in Congregation, and maketh a protestation about precedence.

Augustinus Pavugarner, Ambassadour of *Bavaria*, having beene in *Trent* two moneths, as a private man, by reason of his pretention to precede the Venetians, had finally commission from his Prince, to appeare in Publique, and was received in the Congregation of the 27 of June, sate after the Venetian Ambassadours, and first made a protestation; saying, that as the right of his Prince was most strong, so he was ready to defend it in any other place, but that in the Councell, where Religion is handled, he would not stand upon those points of honour: and therefore was contended to yeeld, but so, as that it might be no prejudice to his Master, or other German Princes of the Electoriall blood of the Empire. The Venetian Ambassadors answered the Protestation, that their Republique had right of Precedence, and that as the Duke of *Bavaria* did then yeeld, so he ought to doe in all places. The Ambassador made a very free and long Oration; in which he shewed the state of religion in *Bavaria*, saying it was compassed with heretikes, who were also entred into it; that there were whole parishes of *Lutherans*, *Zuinglians*, *Flacians*, *Anabaptists*, and of other Sects which cockle the Prelates have not been able to weed out, because the contagion is not only in the vulgar, but in the Nobility also. The cause hereof hath beene the bad life of the Clergie, whose great wickednesse he could not relate, without offending the chaste eares of the auditory. But it sufficeth that his Prince doth tell them, that the amendment of doctrine would be in vaine and unprofitable, if first an amendment were not made of manners. He added, that the Clergie is infamous for lust; that the politike Magistrate doth not suffer a Concubinary Citizen: which fault is so common in the Clergie, that there are not above three or foure in an hundred, who are not concubinaries, or secretly married, or openly; that the Catholikes also in *Germany*, doe preferre a chaste mariage before an unchaste single life; that many have abondoned the Church for the prohibition of the Cup, saying, that the word of God, & practise of the Primitive Church doth force them to use it; w^ch^ untill this present is observed in the Orientall Churches, and formerly hath been used in the Church of *Rome*. That *Paul* 3. did grant it to *Germany*, and the *Bavarians* doe complaine of their Prince, that he doth envy it to his subjects, protesting that if the Synod doe not make provision, his Highnesse will not be able to governe his people, and will be forced to give them that which he cannot withhold. For a remedy of the scandals of the Clergie, he proposed a good reformation, and that in every Bishopricke Schooles and Academies should be erected, to bring up good Ministers; he demanded the marriage of Priests, without which it was impossible, in that age to reforme the Clergie; alleadging that single life was not commanded by God. He demanded also

To which the Venetian Ambassadours make answer.

The *Bavarian* maketh a long and free oration.

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the Communion under both kindes, saying, that if it had beene permitted, many Provinces of *Germany* had remained in the obedience of the Apostolike Sea, whereas those who have continued in it untill now, doe runne away from it, like a torrent, together with other nations; that the Duke doth not desire the three remedies mentioned, hoping to reduce to the Church the sectaries, and those that are strayed, but only to retaine those who are not divided as yet. He said it was necessary to begin with reformation, or else all the pains taken in the Councell would be in vaine; that, the Clergie being reformed, his Prince, if his opinion be asked in point of doctrine, will be able to say something worthy of consideration; which is not fit to be spoken now, because it is not convenient to treat of making warre against the enemy before one hath mustered his owne forces at home. In the course of his Oration he often interposed, that his Prince spake this, not to give a Law to the Councell, but to intimate it with reverence; and with this conceipt also he made an end. The Synod answered, by the *Speaker*, that having long expected some Prince or ambassage of *Germany*, but above all the Duke of *Bavaria*, a *Baracadoe* of the Apostolike Sea in that Countrey, they were glad to see his Ambassadour, whom they doe receive, and will labour as they have done, to constitute whatsoever shall be for the service of God, and soules health of the faithfull. The French-men, hearing this oration, were well pleased, because they were not the only men that did freely admonish the Prelates of that which was fit to be told them; but hearing the answere, they grew jealous, because this was courteous, and theirs sharpe. The difference was, because, howsoever the *Bavarian* did acutely bite the Clergie in generall, yet he spake of the Fathers with much reverence, whereas the French oration was especially directed to reprehend those that heard them; besides the answere made to them was premeditated, and that to the *Bavarian ex tempore*. But they were both used alike, being heard with the eares only.

The answer to it.

The Emperours Ambassadors do present a writing in Congregation, concerning the grant of the Cup.

The Emperours Ambassadours, considering that, in the last Congregations of the Divines, the *Spaniards*, and most of the *Italians* had spoken against the grant of the Cup, and that many of them had called them heretiques who doe demand it, to answer to this and other objections, to promote the proposition of the *Bavarian*, and to prevent the Prelates that they fall not into the impertinences used by the Divines, composed a writing, which they presented in the same Congregation, after the Ambassador had ended his Oration. The substance whereof was. That, in regard of the place they hold, they have thought fit to admonish the Fathers of some things before they deliver their suffrages. That the Divines have these last dayes spoken well, as farre as concerneth their owne Countries, but not for other Provinces and Kingdomes. They prayed the Fathers so to frame their opinions, that they might give a medicine not to the sound parts, which have no need of it, but to the members ill affected; which they will fitly doe, when they shall know which be the weake parts, and what helpe they desire. And beginning with the Kingdome of *Bohemia*, they said there was no need to goe farre, nor to mention the things handled in *Constance*, but only to adde, that, after that Councell, no practise, force, or warre, hath beene

beene able to take the Cup out of that Kingdome. That the Church did lovingly grant it unto them, upon certaine conditions, which *Pius* 2. did revoke, becauſe they were not obſerved. But *Paul* and *Julius* the third, to regaine that kingdome, ſent *Nuncij*, to permit it unto them, though the buſineſſe, by reaſon of ſome impediments, was not brought to perfection. Now the Emperor, having at his charge, inſtituted the Archbiſhopricke of *Prague*, and obtained in the Parliament of *Bohemia*, that the *Caliſtine* Prieſts ſhould not be ordained but by the Archbiſhop, and ſhould acknowledge him for a lawfull Prelate, did beſeech the Pope that ſuch an occaſion, to regaine them, might not be loſt; which his Holineſſe having refered to the judgement of the Councell, it will remaine in the power thereof to preſerve that Kingdome, by granting the Cup unto them. That thoſe people differ but little from the Church of *Rome*; that they never would admit of married Prieſts, nor ordained by any Biſhop out of the communion of the Apoſtolike Sea; that, in their prayers they make mention of the Pope, Cardinals, and Biſhops; that, if they have any ſmall difference in doctrine, it may eaſily be rectified, ſo that the Cup be granted to them; that it is no marvaile if an ignorant multitude have conceived that opinion, ſeeing that men learned, godly, and Catholike doe defend that more grace is conferred in the Communion of both kindes, than of one only. They exhorted the Fathers to take heede, that their too great ſeverity doe not make them ſeparate, and caſt themſelves into the armes of the Proteſtants. They added, that there were Catholikes in *Hungary*, *Auſtria*, *Moravia*, *Sileſia*, *Carinthia*, *Carniola*, *Stiria*, *Bavaria*, *Suevia*, and other parts of *Germany*, who deſire the Cup with great zeale; which being made knowne to *Paul* the third, he gave the Biſhops leave to communicate them with it, which, for many impediments, was not effected. Of theſe there is danger that, if the Cup be taken from them, they will turne to the Lutherans. The Divines have, in their publike diſputations, made a doubt, that thoſe who deſire the Cup are heretikes; but his Majeſty doth demand it for Catholikes only. That there is hope to reduce, by this grant, many Proteſtants alſo, as ſome of them have already proteſted they would returne, and be converted, being ſatiated with novities; otherwiſe the contrary is to be feared. And to anſwere to him that asked a few dayes ſince, who he is that doth demand it, he may know that the Emperor doth deſire, that the Arch-biſhop of *Prague* may ordaine *Caliſtine* Prieſts, and the Ambaſſadours for the Clergie of *Bohemia* deſire the ſame, for that Kingdome; and if there were no hope to obtaine it, there would not be left ſo much as any little remainder of the Catholikes. In *Hungary* they force the Prieſt to give them the Cup, by making away their goods, and threatning to kill them; and the Archbiſhop of *Strigonium* having puniſhed ſome Prieſts for doing it, the people remaineth without Catholike Curates, hath no Baptiſme, and is abſolutely ignorant of Chriſtian doctrine, ready to fall into Paganiſme. In concluſion, they prayed the Fathers to have compaſſion, and to finde a meanes to preſerve thoſe people in the faith, and call backe thoſe that are ſtrayed.

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In the end of the Congregation the Legats gave the draughts compoſed, concerning the three firſt Articles, for feare of the oppoſition made in the for-

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mer congregation. The dayes following the Fathers handled them, and on the 3 they discourſed very amply, ſpeaking of the ſacramentall grace, whether more be received in both kindes than in one: and ſome defended one part and ſome another. Cardinall *Seripando* ſaid, that the ſame difficulty having been diſcuſſed in the Councel under *Julius*, it was reſolved that it ſhould not be diſcuſſed againe. Yet ſome Prelates deſired a declaration of it; but were not hearkened unto, in regard of the contrariety of opinions, and becauſe the greater part did hold that both opinions were probable. But to avoide all difficulty, it was concluded, that all CHRIST the fountaine of all graces, is received. Some of the Biſhops prepared for their departure from *Trent*, who, having ſpoken with much paſſion and heate concerning reſidence, ſaw they were hated, and feared ſome grievous encounter, in caſe they ſhould perſevere. Amongſt theſe was the Biſhop of *Modena* before mentioned, a man very learned, and of a ſincere conſcience, *Julius Faveſi* Archbiſhop of *Surrento*, the Biſhop of *Viviers*, *Peter Paul Caſtazzarus*, Biſhop of *Aqui*, and others, who had obtained leave from the Legates: which *Mantua* gave them, that (in regard they were his friends) he might ſet them at liberty; and the others, to take away occaſions of diſtaſtes. But the Ambaſſadour of of *Portugall* did remonſtrate to the Legats that this would be a diſreputation to the Councell, the cauſe being knowne why they ſuffered, and that it would be ſaid there was no liberty, which would alſo be diſhonorable to the Pope. Thereupon they reſolved to ſtop them, and the rather, becauſe they underſtood, that ſo ſoone as they were departed, others would aske leave alſo.

Some of the Prelates are about to depart from *Trent*, fearing they had ſpoken too freely concerning reſidence.

But are ſtopped.

The Legates deferring to propoſe the other Articles, in regard of the difficulties, which they foreſaw, the third of July the Emperours Ambaſſadours and the Bavarian deſired that they would deliver their opinions concerning them; and a Congregation being called the next day to this effect, the French Ambaſſadours preſented a writing, exhorting the Fathers to grant the Communion of the Cup, making this their ground, that in matters of Poſitive Law, as this was, they ought to yeelde, and not to be ſo obſtinate, but to conſider the neceſſity of the time, and not give ſcandall to the world, by ſhewing themſelves ſo conſtant in obſerving mens precepts, and neglecting GODS, by rejecting reformations. And in the ende they required, that what determination ſoever they would make, it might not preudice the uſe of the Kings of *France*, who receive the Cup in their Conſecration, nor the cuſtome of ſome Monaſteries of the Kingdome which doe, at certaine times, adminiſter it. Yet nothing elſe was done in that Congregation, but onely ſixteene points of doctrine given forth, to be diſcuſſed in the Congregations following.

The Ambaſſadours of *France* and *Bavaria* preſent a writing to perſwade the grant of the Cup.

The Legats were aſtoniſhed at the propoſition of the French-men, underſtanding they were joyned with the Imperialiſts, for which cauſe themſelves were to walke more warily. And weighing well the motives of the Frenchmen to derogate frō the poſitive precepts, they obſerved that the grant of the Cup, beſides the difficulties propoſed, did draw with it many more, in divers matters. They remembred the requeſt for marriage of Prieſts, made by

The Legats are troubled with the conjunction of the French-men and Imperialiſts, in this point of the Chalice.

by the *Bavarian*, and that *Lansac*, in a feast two dayes before, in the presence of many Prelates invited, exhorting them to gratifie the Emperour in the petition of the Cup, said, that *France* did desire *Prayers*, divine *Offices* and *Masses* in the vulgar tongue, that the images of the Saints should be taken away, and marriage granted to Priests; and knowing that the beginning is more easily resisted than the Progresse, and that one may, with lesse paines, be hindered from entring into an house, than driveu forth, they resolved that it was not a fit time to treat of the Cup. They perswaded *Pagnano*, Agent of the Marquis of *Pescara*, to desire that the determination might not be made, before his King was advised thereof. The Congregations of the sixe and seven dayes were intermitted, to treate with the Imperialists, that they would be contented to deferre the matter, alleadging divers reasons: the most concluding whereof was, because the time was too short, to make the Fathers understand, that the grant was necessary. Finally, after long parley, they were content, that all that part which concerneth doctrine should be deferred; wherewith the Legats not being satisfied, at the last the Ambassadors consented, that that point only should be deferred, so that the dilation were mentioned in the Decree, and a promise made to determine it another time. The French-men remained to be treated with; where they found more facility than they expected; who said, they had neither proposed nor required it, but only assisted the Emperours Ambassadours. This difficulty being overcome, they began to compose the Decrees; which to dispatch quickly, they let the Fathers know, that if any of them would advise any thing, they should commit it to writing, that the composition might not be foreslowed.

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And therefore do cause all treaty thereof to be deferred.

In the Congregation of the eighth day, *Daniel Barbaro*, Patriarke of *Aquileja*, said, in delivering his suffrage, that newes being come of the accord in *France*, and therefore it being probable that many Prelates would come, it were fit to defer the points of doctrine untill their arrivall: but the instance being seconded by none, not so much as by the French Ambassadors themselves, it did fall of it selfe. In the next Congregation *Antinius Augustinus*, Bishop of *Lerida*, put them in minde, that it would be good to make mention of the customes of *France*, according to the instance of the Ambassadors, by putting in words which might preserve the priviledges of that kingdome, adding that, after the determination of the Councell of *Constance*, the Grecians were not forbid to communicate with the Cup, because they had a priviledge, which hee had seene; but being seconded by none but *Bernardo dal Bene*, a *Florentine*, Bishop of *Nimes*, his proposition was laid aside also. After the Congregation, the Ambassador *Ferrier* did curiously demand of *Augustinus* the tenor, Author and time of that priviledge: who having referred it to Pope *Damasus*, the Ambassador laughed, because it was certaine, that, an hundred yeeres after that Pope, to abstaine from the Cup was accounted sacriledge in the Church of *Rome*, and that the *Romane Ordinarie* doth describe the communion of the Laity alwayes with the Cup, and that in the yeere 1200. *Innocentius* the third maketh mention that the women did receive the blood of CHRIST in the Communion.

The tenth day *Leonard Aller*, a Dutchman, titular Bishop of *Philadelphia*,

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who came the week before, delivering his opinion concerniug the Decrees, made a digreſſion in manner of a ſet ſpeech, deſiring the Legats and the Synode, that the German Prelates might be expected, uſing divers reaſons, but principally three; which were ill taken by the Congregation: that is, That it could not be called a generall Councell in which a whole principall Nation of Chriſtendome was wanting. That to proceed without expecting them, would be accounted a præcipitation. That the Pope ought to write to them, and call them particularly. The good Father knew not that the Pope had dealt with them two yeeres before by *Delphinus* and *Commendone*, his *Nuncij* in *Germany*, nor what anſwers were made by the Proteſtants and Catholikes, the former of which ſaid they would not, and the later that they could not come to the Councell. Some thought he was mooved by the Emperours Ambaſſadours, who, ſeeing that the propoſition of the Cup was deferred; were willing to prolong the reſidue alſo.

Nine points of reformation are read.

In the next Congregation, nine points of reformation, formerly eſtabliſhed, were read, and, to the firſt, that nothing ſhould be payed for *Ordinations*, *Albertus Duimius*, Biſhop of *Veglia*, who came the week before, and was not preſent at the diſcuſſion of the matter, ſaid; that he held that point to be very imperfect, if they did not conſtitute withall, that likewiſe nothing ſhould be exacted at *Rome* for diſpenſations to receive Orders out of due times, before the juſt age, without licence and examination of the *Ordinarie*, and for irregularities, and other Canonicall impediments. For in thoſe things great expences were made, whereas to the poore Biſhops, who have not whereon to live, a ſmall almes is given; which he would by all meanes have taken away, yet ſo, as that they give not a ſcandall to the world to tithe rue, and ſteale gold and ſilver. Upon this occaſion he enlarged himſelfe, and taxed the payments made in *Rome* for all ſorts of diſpenſations, and added that, whenſoever any diſpenſations have beene preſented to him, either for *Ordinations* or ought elſe, he hath uſed to aske whether they have paid for them, and, underſtanding that they have, he hath never executed nor admitted them; which he ſpake publikely, becauſe it was the duety of every Biſhop ſo to doe. And being anſwered, that they had formerly treated of this in Congregation, and reſolved to referre the reſolution thereof to the Pope, who might with more honor, reforme the offices of *Rome*, he replied, that, the laſt Lent, he had ſpoken of it in *Rome*, but particularly in the houſe of the Cardinall *di Perugia*, in preſence of many Cardinals, and Prelates of the Court, and ſaid the ſame things, who anſwered they were matters to be propoſed in the Councell; but now, underſtanding the contrary, he will ſpeake of it no more, but leave it to God.

The Biſhop of *Veglia* maketh a reſolute ſpeach concerning ſome corruptions in *Rome*.

To the ſecond of the *Ordinations* to title, the Biſhop of *Five Churches* ſaid it was more neceſſary to provide, according to the ancient conſtitutions, that none ſhould be ordained without a title and Office, than without a revenue, becauſe it is an exceſſive ſcandall, that many are ſeene to be made Prieſts, not to ſerve God and the Church, but to enjoy their eaſe, joyned with much luxury, and with a good revenue, that the Synod ought to thinke ſeriouſly hereof, and to find a meanes that there may not be an Eccleſiaſticall perſon, who ſhall not be dedicated to ſome miniſtery, becauſe he hath obſerved, that, in

Rome

Rome, in theſe later times, Biſhoprikes have beene given to ſome, only to promote them, who, within a ſhort time, have reſigned them, remaining titular Biſhops, onely for ambition of dignity; which invention antiquity would have deteſted, as peſtiferous. To the fourth point, for diviſion of great and frequent Pariſhes, after he had commended the Decree, he added, that it was more neceſſary to divide great Biſhoprikes, that they might be better governed; alleadging that, in *Hungary*, there are ſome which containe 200 miles in length, which cannot be viſited and directed by one man. Theſe things were not well expounded by the adherents of *Rome*, who thought that all were to revive the treaty of reſidence.

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The Biſhop of *Sidonia*, a man of the ſame Countrey, gave worſe ſatisfaction; propoſing, under *metaphors*, the reformation of the Pope himſelfe; ſaying, that darkeneſſe could not be taken from the ſtarres, except it were remooved from the Sunne, nor the ſicke body healed, ſo long as bad diſpoſitions did remaine in the head, which doth diſperſe them to all the members. And for the laſt point, concerning *Receivers*, he ſaid, that it was not honourable for the Councell, nor profitable for the Church to begin with the reformation of the ſmalleſt matters; that the matter of importance are firſt to be handled, the ſuperiour orders to be reformed firſt, and the inferiour afterwards. Which ſaying ſeemed to pleaſe many of the Spaniſh Prelates, and ſome of the Italians alſo. But partly by ſaying that thoſe Decrees were already compoſed, and that there were but three dayes to the Seſſion, which ſhort time did not comport the digeſtion of new matters, partly by making ſuch oppoſitions againſt the things ſpoken as they were able, and by giving aſſurance, that the Pope would make a moſt ſtrict reformation in the Court, the remedies of the abuſes whereof could be better diſcerned and applied at *Rome*, where the infirmity is better knowne, than in the Councell, and by ſuch like reaſons, the proviſions thought on theſe and other Prelates, were deluded, and all were made content for that preſent with the nine Articles.

The Biſhop of *Sidonia* propoſeth metaphorically a reformation of the Pope.

But the Congregation being ended, the Legats and other Papalins, remaining in the place together, to conſider of what they heard, diſcourſed that the boldneſſe of the Prelates, in broaching new ſeditious matters, without reſpect, did increaſe daily, which could not be called, liberty, but too much licence; and that the Divines, with tedious diſcourſes, tooke up too much time, contending amongſt themſelves about nothing, and often paſſing to impertinences, which courſe if it did continue, the Councell would never be concluded. Beſides there is danger that the diſorder will increaſe, and produce ſome ſiniſter effect. *John Baptiſta Caſtello*, the Speaker, who had exerciſed the ſame office in the former reduction under *Julius*, tolde them, that Cardinall *Creſcentius*, when they digreſſed from the matters propoſed, without reſpect was wont to interrupt them, and to cut off alſo the file of their diſcourſe, to abreviate thoſe who were too prolixe, and ſometimes to impoſe them ſilence; which being now done once or twice, the affaires of the Councell would be ſhortned, and occaſions of impertinent diſcourſes would be taken away. *Varmienſe* was not pleaſed with this; who ſaid, that, if *Creſcentius* did governe ſo, it was no marvell that the Ma-

The Legats & other Papalins, do conſult how they may repreſſe the licence of the Prelats.

In which conſultation, *Creſcentius* is repreheended by the Cardinall of *Varmia*.

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jeſty of God had not given a good progreſſe to that Councell; that nothing is more neceſſary to a Chriſtian Synode than liberty, and that, reading the Councels of the better times, one ſhall find contentions and diſcords in the beginnings of them, even in the preſence of the Emperours, moſt potent in thoſe times, which notwithſtanding did, in the end, turne, by the aſſiſtance of the holy Ghoſt, into a marvellous concord: and that was the miracle which did pacifie the world. He ſaid there were infinite contentions in the *Nicene* Councell, and moſt exorbitant in the *Epheſine*, and therefore no wonder if now there were ſome diverſity of opinions civilly carried, which he that would reſiſt by humane and violent meanes, will let the world know that the Councell is not free, and take from it all reputation; that it is good to referre the cauſe unto God, who will governe Councels, and moderate thoſe who are aſſembled in his name. The Cardinall of *Mantua* approoved the opinion of *Varmienſe*, and diſliked the proceeding of *Creſcentius*, but ſaid it was not contrary to the liberty of the Councell to moderate abuſes with Decrees, preſcribing the order and time of ſpeaking, and diſtributing to every one his owne part. This was commended by *Varmienſe*, and they agreed to give order for it, when the Seſſions ſhould bee held.

The Imperialiſts were now out of hope to obtaine the Chalice, and their intereſts were ceaſed. But the French-men, with ſome Prelates, laboured much that nothing might be done in the Seſſion of the ſixteenth day, but all deferred untill the next, as had beene done twice before. The Legats, to avoid the ſhame, did labour with all their force to eſtabliſh the points, that thoſe foure that concerne communion, and the nine of reformation, might be publiſhed. Theſe therefore did ſeeke to remove, and thoſe to interpoſe difficulties. There remaining but two dayes to the Seſſion, a Congregation was held in the morning of the 14 day; in the beginning whereof *Granata* deſired the Legates, that, in regard of the importance of the matter to be handled, they would prorogue the Seſſion; and made, as it were, an oration, to ſhew how many difficulties were ſtill on foot, neceſſary to be decided. The Legates, reſolute to the contrary, admitted no reaſon, and cauſed the examination of the doctrine to begin: In reading of the firſt point, when they came to the place where it is ſaid, that it cannot be inferred by the words of our *Lord* in S. *Iohn*. *If you ſhall not eat the fleſh of the Son of man, and drink my blood, &c.* *Granata* began, and ſaid, that that paſſage did not ſpeak of the Sacrament; but of Faith, under the *Metaphor* of nutriment; alleadging the Text, and many Expoſitions of the Fathers, and of S. *Auſtin* in particular. Cardinall *Seripando* expounded that place, as if he had read in the Chaire; and it ſeemed that every one was ſatisfied. But *Granata* replied more earneſtly, and in the end, deſired that an addition might be joyned to it; ſaying, that, by thoſe words, howſoever they were underſtood according to divers Expoſitions of the Fathers, the Communion of the Cup could not be inferred. This addition did not pleaſe ſome of the Fathers, and others did not regard it; but it ſeemed ſtrange, that after things were concluded, one ſhould come with unneceſſary additions, to diſturbe the points eſtabliſhed; and there were 57 who ſaid *Non placet*. But to come to an end, the Legats

Legates were content, that the clauſe ſhould be added; and indeede it ſeemeth to be inſerted by force, and doth begin in the Latine *Utcunque juxta Varias.* 1562

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In the ſecond point, of the authority of the Church over the Sacraments, when they came to this place, that they might change the uſe of the Cup, by the example of the forme of Baptiſme, *Jacobus Gilbertus*, Biſhop of *Aliſe*, ſtood up, and ſaid it was a blaſphemy; that the forme of Baptiſme was immutable; that it was never changed; that over the eſſence of the Sacraments, which conſiſteth in the forme and matter, there is no authority; and much being ſaid *Pro & contra*, in the end they reſolved to take away that particle. It would be tedious to relate all that was ſpoken by ſome to hinder the proceeding, and by ſome not to be ſilent, when others ſpake. It is naturall, when a multitude is in motion, for every one to ſtrive to moove moſt, neither was there ever any Colledge of Noblemen ſo abſolute, but that it might be divided into perſons of honour, and of the common ſort. The patience and reſolutions of the Legats overcame the difficulties; ſo that, in the Congregation of the afternoone, the points of doctrine, and the *Anathematiſmes* were eſtabliſhed, howſoever the Cardinall *Varmienſe* did very zealouſly interpoſe a doubt, at the inſtance of ſome Divines, who told him, that where as it is ſaid in the third point of doctrine, The faithfull are not defrauded of any grace neceſſary to ſalvation, by receiving one kinde onely, much cauſe of diſputation was given, becauſe the *Euchariſt* being not a neceſſary Sacrament, it might be inferred, by the ſame reaſon, that the Church might take it away wholly. Many of the Prelates adhered hereunto, demanding that it might be reformed, in regard the reaſon alleadged againſt it was evident, and unanſwerable. Cardinall *Simoneta* did pacifie them with very much adoe; ſaying that a draught ſhould be made in writing how it ſhould be reformed, and ſhewed in the next Congregation.

In that the Biſhop of *Five Churches* gave new occaſion of diſtaſtes. Who having beene tolde out of the Congregation, that, in *Rome* Biſhoprickes were onely given to promote men, returned to that matter, and ſpake of it at large. He ſeemed to declare his minde by way of excuſe, but indeed he confirmed the things ſpoken, and the end of his diſcourſe was an exhortation to the Fathers, to deliver their opinions freely, without reſpect. *Simoneta* was much angry at the occurrences of that Congregation, and, when it was ended, dsd remonſtrate to *Varmienſe*, how contrary it was to the ſervice of the Apoſtolique Sea, to give eare to the impertinencies of the Divines, men accuſtomed to bookes of ſpeculation only, and for the moſt part, vaine ſubtilities, of which themſelves make great eſteeme, though indeed they are but *Chimeræ*; whereof one proofe is, becauſe they agree not among themſelves: that before many of them did approve that point, without contradiction, and now ſome broach new matters, which, in concluſion, will be oppoſed by others; that it is a plaine caſe that what word ſoever is ſpoken, will be defended by thoſe that favour the Speaker, and oppugned by his adverſaries. Neither will they much care though it be ſomewhat dangerous to doe it. But, having intimated two Seſſions, and done nothing, if the like ſhould happen in this, the reputation of the Councell would

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would irrecoverably be lost, and therefore that they must be carefull to doe some thing. *Varmiense* was overcome; and answered that he had done nothing but to a good end, and that those Divines were addressed to him by the Emperours Ambassadours. *Simoneta* perceived that the honesty of that Prelate was abused, by the subtility of others, and told the other Legates, that he doubted that the Imperialists might draw some secret from him, and agreed with them to admonish him of it upon some good occasion.

The last day had some encounters also. For the Bishop of *Nimes*, at the perswasion of the French Ambassadours, desired, that, in the first point of reformation, where some fee is allowed to the Notary, for the Letters patents of *Orders*, the custome of *France* might not be prejudiced, where nothing is given. He was followed by some Spaniards; and they were satisfied, by an addition in the Decree, that the custome should be saved. Other mutations were desired and granted, and all was in order for the Session, the next morning. The Legats rising up to depart, *Arias Gallego*, Bishop of *Girone*, came and stopped them, and desired they would sit down againe, and heare him. They looked one upon another; but their desire to hold the Session taught them patience. They sate downe againe, with the distaste of many Prelates, especially the Courtiers. The Bishop causing the point of the distributions to be read, said, that it seemed to him a hard thing that power should be given to the Bishop to take the third part of the Prebends and convert them into distributions; that formerly all was distributions, and that Prebends crept in by abuse; that Bishops had authority to infringe bad customes; that it was not just that the Councell, by giving the Bishop a third part of the authority which he hath, should take two thirds from him. Therefore hee desired it should be declared that the Bishops have ample power to convert into distributions as much as they thinke convenient. The Archbishop of *Prague* confirmed this opinion with other reasons, and the Spaniards seemed by their countenance to give consent. The Cardinall of *Mantua* having much commended the piety of those Bishops, affirmed, that it was a point worthy to be consulted on by the Synod, and promised, in the name of the Legats, whose consent he first had, that it should be spoken of in the next Session.

The Legats, about to part out of the Congregation, are stopped by the Bishop of *Girone*.

Who maketh a speech unto the concerning distributions.

The sixteenth day being come, the Legats, Ambassadours, and Prelates went to the Church with the usuall ceremonies. The Sermon was made by the Bishop of *Tiniana*: who, howsoever he was resolved not to speake then of granting the Chalice, did not forbeare to take that matter onely for his subject, and to discourse that the use of the Chalice was common so long as the heat of charity did endure; but, that decreasing, and inconveniences succeeding, by the neligence of some, the use thereof was not interdicted, but onely it was taught, that those who could hardly avoyd irreverence, should lesse offend, if they did abstaine from it: whose example in progresse of time, others did follow, that they might not tye themselves to diligence. In the first he commended the memorable example of piety, and blamed the impiety of the moderne innovators, who to have it, have handled so great a fire. He exhorted the Fathers to charity, and to extinguish the flame, and not to suffer all the world to burne by their default, to condescend to the imbecility

A Session is held. The Bishop of *Tiniana* preacheth, the matter of whose sermon was the Communion of the Cup, and Residence.

becillity of their children, who demand nothing but the blood of CHRIST. He admoniſhed them, not to caſt away ſo many Provinces and Kingdomes, to ſpare ſo ſmall a matter; that ſeeing that bleſſed blood is ſought with ſo earneſt a deſire, they would not feare the former negligence, for which it was omitted; but grant it, that CHRIST would not have them ſo obſtinate in their owne opinion, as to maintaine ſo pernicious a diſcord amongſt Chriſtians, for that blood which himſelfe ſhed to unite them in a moſt ſtrict bond of charity. He paſſed dexterouſly from that matter to an exhortation to reſidence, and concluded with the diſtaſte of the others, who deſired to have thoſe matters buried in ſilence. 1562. PIVS 4. FERDINAND. ELIZABETH. CHARLES 9.

When the ceremonies were ended, the Maſſe-Biſhop read the doctrine, expreſſed in foure heads; containing in ſubſtance. That the Synod, in regard of many errors which go about, concerning the Sacrament of the *Euchariſt*, hath determined to expound that which belongeth to the Communion *Sub utraque*, and of children, prohibiting all the faithfull to beleeve, teach, or preach otherwiſe. Therefore, according to the judgement and cuſtome of the Church, it doth declare, that the Laickes and Clerkes, who doe not ſay Maſſe, are not bound by any divine precept to communicate *Sub utraque*, and that it cannot be doubted, without prejudice of faith, that the Communion under one kinde is ſufficient; that howſoever CHRIST hath inſtituted, and given the Sacrament under two kinds, it cannot be inferred from hence, that all are obliged to receive it ſo; nor from the ſpeech of our LORD, related in the ſixt Chapter of Saint *John*, where although there be words which name both kinds, yet there be alſo which name that only of bread. Beſides, it doth declare, that the Church hath ever had power to make mutation in the diſpenſation of the Sacraments, ſo long as the ſubſtance remaineth: Which may be drawne in generall from the words of Saint *Paul*, that *the Miniſters of Chriſt are diſpenſers of the Myſteries of God*; and particularly in the *Euchariſt*, concerning which power is reſerved to it, to give order by word of mouth. That the Church knowing this her authority, howſoever the uſe of both kindes was frequent from the beginning, yet the cuſtome being changed for juſt cauſes, hath approved that other, to communicate with one onely, which no man can change without the authority of the ſame Church; it doth declare beſides, that All CHRIST is received under either of the kinds, and the true Sacrament, and that he who receiveth one onely is not defrauded of any Grace, neceſſary to ſalvation, as concerning the fruit thereof. Finally it doth teach, that children, before the uſe of reaſon, are not bound to Sacramentall *Communion*, becauſe Grace cannot be loſt in that age, not condemning antiquity for the contrary cuſtome, obſerved in ſome places, becauſe it is to be undoubtedly beleeved that they have done it, not for neceſſity of ſalvation, but for other probable cauſes. In conformity of this doctrine foure *Anathematiſmes* were read. 1. Againſt him that ſhall ſay that all the faithfull are bound, by divine precept, or neceſſity of ſalvation, to receive both the kindes in the *Euchariſt*. 2. That the Church hath not had juſt cauſes to communicate the Laickes and the Clerks, who do not celebrate the Maſſe, with the kind of Bread only, or that it hath erred herein. 3. Againſt him that ſhall deny that All CHRIST, the Fountaine and Author

The doctrine is read contained in foure heads.

Foure *Anathematiſmes* are read.

of

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of all *graces*, is received under the bread onely. 4. Against him that shall say that the Communion of the *Eucharist* is necessary for children before the use of reason. After this another Decree was read also, saying, that the Synod will examine, with the first occasion, and define two other Articles, not discussed as yet: that is, Whether the reasons for which the Church hath communicated under one kinde, are good still, so that the Cup ought not to be granted to any; and in case it doth appeare that it may be granted for honest causes, with what conditions the grant is to be made.

A decree is read concerning two points to bee handled hereafter.

During the time of the *Masse*, *Alfonsus Salmeron*, and *Franciscus della Torre*, Jesuites, discoursed, the one with *Varmiense*, and the other with *Madruccio*, as they stood behinde their seats; that in the first point of doctrine, the matter of the institution of the Sacrament under both kinds is obscurely expressed, and that it is necessary to speake plainly, and say, that Christ did institute it for his Apostles, and those that say *Masse* only, and not for all the faithfull; that it was necessary to insert this clause, to remoove all doubt from the Catholikes, and all occasion of opposing and calumniating from the heretikes; that they, as Divines sent from the Pope, could not forbeare to give their advice in a matter of so great importance; and were both so earnest, especially *Salmeron*, who talked with *Varmiense*, that the reading of the Decree being ended, *Varmiense* first, and then *Madruccio* made the proposition; which pleased many, but was rejected by the greater part, not for its owne parts, but for the manner of proposing it on the sudden, without allowing time to consider on it. It did not please the other Legats, for the same cause also; yet in regard of the honor of the place, they said, without any adoe, that it should be reserved to the next Session, in the handling of the two next Articles.

Nine points of Reformation are read.

Afterwards the nine points of reformation were read. That for collation of *Orders*, *Dimissories*, *Testimonials*, *Seale*, or any thing else, neither the Bishop nor any of his Ministers shall receive any thing, though voluntarily offered. That the *Notaries*, where there is custome not to receive, and where they have no *salarie*, may receive the tenth part of a crowne. That no secular Clerke, though sufficient, may be promoted to holy *Orders*, if he have not a Benefice, patrimony, or pension, able to maintaine him; and that the Benefice may not be renounced, nor the pension extinct, nor the patrimony alienated without licence of the Bishop. That in the Cathedral or collegiate Churches, in which there are no distributions, or very small, the Bishop may convert, to that use, the third part of the profits of the Prebends. That in Parish Churches, where much people is, the Bishops may compell the *Rectors* to take the assistance of other Priests, and those that are large in compasse may be divided, and furnished with new *Rectors*, if there shall be need, and the people may be compelled to contribute. That the Bishops may make a perpetuall *Union* of Benefices, with cure, or without, because of poverty, or other juridicall causes. That the Bishops may give *Coadjutors* to Parish Priests that are unlearned, and punish those that are scandalous. That the Bishops may joyne the Benefices of old ruinous Churches to others, and cause the Churches to be built, compelling the people to contribute to the fabrique. That they may visite all Benefices held in *Commenda*. That the name, office, and use of receiver be taken away in all places. In the end, the Session was ordained

ordained for the ſeventeenth of September, and a declaration made, that the Synod might abreviate or prorogue, at pleaſure, as well that Terme; as any other, which ſhall be limited for the future Seſſions. 1562. PIVS 4. FERDINAND. ELIZABETH. CHARLES 9.

The actions of this Councell were not in ſo great expectation in former times, as at this preſent; in regard all Princes had agreed in demanding it, and ſent Ambaſſadors, and that a great number of Prelates were aſſembled, foure times ſo many as before: and had beene begunne now ſixe moneths, and thoſe ſpent in daily and continuall treaties and diſcuſſions, with diſpatches of many Curriers and Prelates from *Rome* to *Trent*, and from *Trent* to *Rome*. But when the Seſſion came out in print, the uſuall Latine Proverbe, of *The birth of the Mountaines*, was generally uſed by all. And particularly the delaying of two Articles was noted; it ſeeming ſtrange, that, having made foure Articles of faith, with four *Anathematiſmes*, they were not able to declare that of granting the Cup, which is *de jure Eccleſiaſtico*. Some were of opinion, that it ought to have beene handled firſt, becauſe if it had beene granted, all the diſputations had ceaſed. The third point of doctrine was much conſidered on in the concluſion. For it being ſaid that the faithfull, who receiveth the body of CHRIST only, is not defrauded of any neceſſary Grace, it ſeemed a confeſſion that ſome grace, not neceſſary is loſt. And here a doubt was made whether there be any authority of man which can hinder the ſuperabundant, and not neceſſary grace of God; and if it can, whether theſe impediments be charitably uſed. Two things were much ſpoken of amongſt the reſt; one, the obligation impoſed to beleeve that antiquity did not hold the Communion of children to be neceſſary; becauſe where the truth of a ſtory is in queſtion, it is a matter of fact, and paſt, in which there is no authority that can alter the things done. Yet he that readeth *Auſtin* will know that, in nine places, not in a word, but with a diſcourſe, he doth affirme the neceſſity of the *Euchariſt* for children, and two of them doe make it equall to the neceſsity of Baptiſme; yea hee ſaith, more than once, that the Church of *Rome* hath held and defined it to bee neceſſary for the ſalvation of children; and doth alleadge for it Pope *Innocentius*, whoſe Epiſtle doth yet remaine, in which he ſaith it plainely. And they marvailed why the Councell would, without neceſsity, trouble it ſelfe herein, to no end, when it might be ſaid that either it, or *Innocentius* had erred. The other was the ſecond *Anathematiſme*, with the declaration, that he is an heretike, who ſaith the Church was not induced upon juſt cauſes to communicate without the Cup: which was to ground an Article of faith, upon a fact of man. And they held it a miraculous thing that they would ſay, that one is bound to obſerve the Decree only *jure humano*, but is bound *jure Divino* to beleeve it is juſt, and to make Articles of faith in things which may be changed daily. Others added alſo, that if the cauſes were ſo juſt, they ſhould ſay what they were, and not force men to beleeve by terrour, but induce them by perſwaſion; becauſe that was to domineere over the faith, which Saint *Paul* doth ſo much deteſt. Concerning the points of reformation, it was generally ſaid, that more light points could not be handled, nor more lightly, and that they did imitate the Phyſitian, who, in an *Hecticall* body, laboured to kill the *itch*. And to put their hands into mens purſes, to maintaine

The actions of the Councell are cenſured.

Firſt in matter of doctrine.

Secondly in Point of Reformation.

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maintaine Curats, or repaire Churches, seemed a strange thing, both for the matter, and for the manner. For the matter, because the Clergie, was superfluously rich, and rather indebted to the Laity for divers evident respects; for the manner, because neither Christ, nor his Apostles, did ever compell men to make contributions, but only gave power to receive those that were voluntary. And he that readeth Saint *Paul* to the *Corinthians*, and to the *Galathians*, shall see the masters treatment of the Oxe that treadeth the Corne, and the duty of the catechised, towards him that doth teach; yet so, as that those labourers have no action or right by rigour of Law, nor any *Chancery* to relieve them.

A reconciliation is made between the Cardinall of *Mantua*, and *Simoneta*

The Session being ended, the Legats began to put in order those things which were to be handled in the next, purposing to anticipate the time, if it were possible. Letters came to *Trent* from *Alexander Simoneta*, to the Cardinall his brother, and from Cardinall *Gonzaga*, to his Uncle, with most effectuall exhortations, in the Popes name, to accommodate the differences, and to hold good intelligence together; for which cause the Sunday after the Session, *Simoneta* dined with the Cardinall of *Mantua*, and made a perfect reconciliation with him. *Mantua* began to discourse of some Prelates, who came much to his house, whom he suspected to have done ill offices against him. But *Simoneta* did stop him modestly, and said, that hereafter they should not speake so. They consulted earnestly how they might give full satisfaction to the Pope, and the Court, in matter of Residence, and what Prelates were fit to be employed to perswade others. Those who had declared themselves to favour the interests of the Pope and Court, howsoever they were otherwise able, they thought not fit, because they wanted credit. They made choice of two men of sincerity, and dextrous in negotiations, the Bishops of *Modena* and of *Bressia*. The same day the Arch-bishop of *Lanciano*, having called together the Prelates who had written to the Pope in their owne behalfe, presented to them the Popes *Briefe*, full of kindnesse, humanity, and offers: which pleased them all, and did much mitigate their heat of Residence. Another accident also hapned the same day, much in the Popes favour. For the *Marquis* of *Pescara* sent unto his Secretary a copy of a letter, written to him from the King; in which he told him, that, having understood that the declaration of the *Continuation* would displease the Emperour, and *France*, and might perhaps cause a dissolution of the Councell, he gave him commission to make no further instance for it, so that no declaration were made for a new *Indiction*, and that the Councell did proceed as it hath begun. Afterwards he gave him order to let his Prelates know, that he had understood the controversie and dispute concerning Residence, and the instance they had made, that it might be declared to be *de jure divino*, saying that he commended their zeale and good intention, yet thought that the declaration did not befit the present time, and therefore wished them to desist. The Secretary shewed the letter to the Spanish Prelates; and *Granata*, having exactly considered of it, said, that it was well, seeing that the Pope did dislike it; that the King did not know the importance of it; that he was counselled by the Arch-bishop of *Sevil*, who never had resided, and by the Bishop of *Conca*, who remained in Court; that he knew

The Arch bishop of *Lanciano* presenteth the Pope's Brief to the Bishops, who had written unto him.

The King of *Spaine* will not have the continuation of the Councel, or the point of *Residence* spoken of.

knew very well to what end he did command it, that he would obey him in not proteſting, but would never forbeare to demand it, as often as there was occaſion, knowing well that he ſhould not offend the King herein. That point concerning the continuation was ſhewed alſo to the Imperialiſts, and French-men: who anſwered, there was no need of that declaration to be made expreſly in words, ſeeing that it was executed in deeds. 1562 Pius 4 Ferdinand. Elizabeth. Charles. 9 Philip 2.

In the next Congregation, held the twentieth day, the Sacrament of the Maſſe, and the abuſes conſequent, were propoſed to be handled. The Cardinall of *Mantua* did admoniſh the Prelates to deliver their opinions, quietly and briefly, in the Congregation, and without noyſe, and related the rules which they had made for the Congregations of the Divines, to take away contentions, confuſion, and prolixity; which, being read, were approoved by the Congregation. Afterwards Cardinall *Seripando* diſcourſed of the manner of examining the points of doctrine, and the *Anathematiſmes*, in the Congregations, and put them in minde that they had beene examined and diſcuſſed before in the ſame Councell, and eſtabliſhed alſo, although not publiſhed; ſo that the Fathers might very much abreviate their meditations, in regard there was need of nothing more then of expedition. *Granata* added, that, the *Maſſe* having beene handled before, and there remaining much time untill the Seſſion, the matter of *Order* might be handled alſo. And the ſame was confirmed by the Biſhop of *Five Churches*; which ſome underſtood to be ſpoken ironically, and others, to this end, that they might handle reſidence, according to the promiſe of *Mantua*. In the end, the Articles, to be handled in the Congregations of the Divines, were given forth. The ſubſtance of the orders before mentioned was comprehended in ſeven rules. That, in every matter propoſed, only foure of the Divines ſent by the Pope, choſen by the Legats, ſhould ſpeake, two ſeculars, and two regulars. That by the Ambaſſadours of Princes three of the ſecular Divines, ſent by them, ſhould bee choſen. That every Legat ſhould chooſe a ſecular Divine of his owne family. That of all the other Secular Divines of the families of the Prelates, onely foure ſhould be choſen to ſpeake, beginning with thoſe who were created Doctors firſt. That amongſt the Regulars every Generall ſhould chooſe three of his owne order. That none of the Divines ſhall ſpeake above halfe an houre, or, if they do, ſhall be interrupted by the Maſter of the Ceremonies, and hee that will be more briefe, ſhall be more commended. That thoſe Divines who are not to ſpeake, may deliver their opinions in writing to the Deputies, concerning the things propoſed. By theſe rules they made account that foure and thirty Divines were to ſpeake, and that they might be all heard in tenne Congregations at the moſt. In eſtabliſhing and publiſhing this order, the difficulty was what inſcription to give it. Some thought that to call it a meane to bee obſerved by the Divines, was to runne into the inconvenience obſerved by that *Spartane* to the *Athenians*, *that wiſe men did conſult, and the ignorant give ſentence.* For avoiding whereof the inſcription was conceived thus; A meane to bee obſerved hereafter in the points which ſhall be examined by the inferiour Divines, inferring that the Prelates were ſuperiour Divines.

Seven rules are ſet downe concerning the order of examining the points of doctrine.

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13. Articles concerning the *Masse* are proposed to be examined.

The Articles were thirteene. 1. Whether the *Masse* be onely a commemoration of the sacrifice of the *Crosse*, and not a true sacrifice. 2. Whether the sacrifice of the *Masse* derogateth from that of the *Crosse*. 3. Whether CHRIST did ordaine that the Apostles should offer his body and blood in the *Masse*, in those words; *Doe this in remembrance of me*. 4. Whether the sacrifice of the *Masse* doth onely helpe him who doth receive it, and may not be offered for others, as well living as dead, nor for their sinnes, satisfactions and other necessities. 5. Whether the private *Masses*, in which the Priest alone doth receive the Communion without other Communicants, be unlawfull, and ought to be taken away. 6. Whether the mingling of water with wine in the *Masse* be contrary to the institution of our Lord. 7. Whether the Canon of the *Masse* doth containe errours, and ought to be abrogated. 8. Whether the customs of the Church of *Rome*, to pronounce softly, and in secret, the words of the consecration, be damnable. 9. Whether the *Masse* ought to be celebrated onely in the vulgar tongue, understood by all. 10. Whether to attribute certaine *Masses* to certaine Saints be an abuse. 11. Whether the Ceremonies, vestments and other externall signes which the Church useth, ought to be taken away. 12. Whether to say that our LORD is mystically sacrificed by us, bee the same as to say, that he is given us to eate. 13. Whether the *Masse* bee a Sacrifice of praise and thankesgiving only; or propitiatory for the living and the dead. It was added, that the Divines should speake whether these Articles were erronious, or false, or hereticall, and whether these deserved to bee condemned by the Synode; and that they should divide them, so that the seventeene first, should speake of the seven first Articles, and the others, concerning the sixe following.

The French Ambassadours thought still they had small reputation in the Councell, in respect of others; and after that the Decree aforesaid came forth were more jealous than before, because mention was to be made of the Divines to what King each did belong (which was not done concerning the Prelates) and none would be present for *France*. They doubted also that, by this meanes, some prejudice might arise to the prerogatives of the Kingdome. Therefore they did presently, and afterwards, upon other occasions, send advice into *France*, that the disputation would passe onely betweene the Italians, Spaniards, and Portugals; that *France* would have no part, if his Majesty did not presently dispatch away some Prelate, or Doctor, especially because matters of great importance, contained in the Articles proposed, were to be handled; which also would be a meanes to obtaine or hinder other things, according to his Majesties desire, and the contents of their instructions; that untill then they had proposed none of the Articles of reformation, because, not having suffrages to maintaine them, no account would have beene made of their remonstrances; that the Councell will not hearken to any thing that is prejudiciall to the profit or authority of the Court, because the Pope is Lord of the propositions, it having beene determined in the beginning, and ever since observed, that nothing may be proposed but by the Legats; as also of the resolutions, because so many

The French Ambassadors write to their King for Prelats or Doctors to be sent out of *France*.

And complaine of the proceeding in Councel.

many Prelates are his penſioners, and ſtand at his devotion; that it is reſolved that the Councell ſhall not meddle with reforming the Court, but reſerve that whole buſineſſe to his Holineſſe; that the Spaniards who were very zealous for the reformation, are cooled and put in feare, by the reprehenſion of their King; that there is no hope, ſo long as the caſe ſtandeth thus, to obtaine any thing but what pleaſeth the Pope, becauſe no inſtance made by all the Ambaſſadours and Princes which are in *Trent*, hath been able to perſwade a good reformation of the Eccleſiaſticall diſcipline, howſoever Articles, conformable not only to the uſe of the Primitive Church, but even to the Decrees of the Popes themſelves have been preſented to the Legats, that, inſtead of thoſe, they propoſe points of the preſent controverſies of doctrine, though they have been told it is ſuperfluous, in abſence of the Proteſtants, and that, if they propoſe any thing concerning manners, it is of ſmall importance, and of no fruit. 1562 PIUS 4 FERDINAND. ELIZABETH. CHARLES. 9 PHILIP 2.

The Pope, daily adviſed of the divers occurrences in *Trent*, did feare that no Decree would bee publiſhed in the Seſſion at the day appointed: but underſtanding how happily it paſſed, was exceeding glad, and the more, in regard of the reconciliation of the Legats, and of the letter of the King of *Spaine*. He could not conceale his joy, but imparted it in Conſiſtory, and ſpake of it to the Ambaſſadours, and thanked the Cardinall of *Arragon*, brother of *Peſcara*, to whom he did attribute this ſervice. And being wholly bent to conclude the Councell quickly, and finding that nothing could prolong it, but the points of reſidence, and of the Communion of the Cup, he wrote to the Legats, that he was wholly intent to the reformation of the Court; that they ſhould aſſure thereof the Ambaſſadours and Prelates who ſpake of it; and that themſelves ſhould diſpatch the other matters: which they might doe in three Seſſions more. He commended them for having reſerved power to abbreviate the time prefixed, exhorting them to make uſe thereof. He added, that, knowing it was hard to make a good reſolution in the Councell, in matter of reſidence, becauſe many Prelates, having delivered their opinion to a good end, were intereſted in their honour, they ſhould procure that it might be referred unto him, and likewiſe ſhould free themſelves from inſtances made by Princes for the communion of the Cup, by making the ſame reference. And if any difficulty, hard to be reſolved, ſhall happen, in any of the points, which remaine to be handled, they ſhould propoſe the remitting of it to him alſo; becauſe he can more eaſily decide any thing in Conſiſtory, calling ſome Doctors, if there be occaſion, then in *Trent*, where mens divers intereſts make the reſolutions impoſſible, or very long.

The firſt Congregation of the Divines was held the next day in the afternoone, in which the order of ſpeaking but halfe an houre was ſo well obſerved, that *Salmeron* the *Jeſuite* ſpent the whole time himſelfe, with much ſaucineſſe, ſaying he was ſent by the Pope, and that being to ſpeake of important and neceſſary matters, no time was to be preſcribed unto him; and diſcourſing on the ſeven Articles, ſpake onely common things, which deſerve not particular mention. The next morning he was imitated by his fellow *Torre*, who ſpent that whole Congregation alſo, and rather repeated the things The Ieſuites will not obſerve the rules.

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things ſpoken before, than added any thing of his owne. But, which was worſt of all, comming, in the end, to the place of S. *John, If you eat not &c.* hee ſaid, it muſt needs be underſtood of the Sacramentall *Communion*, and added, that, in the firſt point of doctrine, publiſhed in the laſt Seſſion, it ſeemed that doubt was made of it, and therefore that it was neceſſary to declare in the next, that nothing is ſpoken of in that paſſage but the Sacrament; and that if any were of another opinion, he appealed to the Synod. The Legats were much offended at his ſpeech, as well becauſe it croſſed the determination of the Councell, as becauſe it ſhewed a neceſſity of the *Communion* of the Cup; but much more, becauſe thoſe *Jeſuites*, howſoever they were the firſt, would be excepted both from the generall orders: with ſo much petulancy. They called to minde the ſtirres raiſed by them in the Seſſion, and *Torre* was particularly noted by *Simoneta*, for having written againſt *Catharinus* in favour of reſidence, that it is *de jure divino*, with inſolent termes, as the Cardinall ſaid. Therefore, the Congregation being ended, he tolde his Colleagues, that it was fit to repreſſe this boldneſſe, and give example to others; and they agreed ſo to doe upon the firſt occaſion.

With whom the Legates are diſpleaſed.

The diſcuſſion of the Articles.

In the diſcuſſions of the Divines all were uniforme in condemning the Proteſtant opinions of hereſie, in the Articles propoſed, and did quickly diſpatch the others. The diſcourſe of every one was long, in proving the *Maſſe* to be a ſacrifice, in which Chriſt is offered under the ſacramentall elements. Their principall reaſons were; That CHRIST *as a Prieſt according to the order of Melchizedec*: but *Melchizedec* offered bread and wine; therefore the Prieſthood of CHRIST doth require the ſacrifice of bread and wine. Moreover, the *Paſchall Lambe* was a true ſacrifice; and that is a figure of the *Euchariſt*; therefore the *Euchariſt* alſo muſt be a ſacrifice. Afterwards the prophecy of *Malachie* was alleadged, by whoſe mouth God rejected the ſacrifice of the Jewes, ſaying his Name was holy, great amongſt the *Gentiles*, and that in every place, a pure oblation is offered to him; which cannot be underſtood of any thing elſe which is offered in every place, and by all Nations. Divers other congruities, and figures of the old Teſtament were produced, ſome grounding themſelves upon one, and ſome upon another. In the new Teſtament the place of S. *John* was brought, where CHRIST ſaith to the woman of *Samaria*, that *the houre is come in which the Father ſhall be worſhipped in Spirit and in trueth*: and to worſhip in the holy Scripture doth ſignifie to ſacrifice, as appeareth by many places. And the woman of *Samaria* asked him of the ſacrifice, which could not be offered by the *Jewes* but in *Jeruſalem*, and by the *Samaritans* was offered in *Garizim*, where CHRIST then was. Therefore they ſaid the place was neceſſarily to be underſtood of an externall, publike, and ſolemne adoration, which could be no other but the *Euchariſt*. It was alſo proved by the words of CHRIST, *This is my body which is given for you, which is broken for you. This is my blood which is ſhed for you.* Therefore there is a breaking of the body, and an effuſion of blood in the *Euchariſt*, which are actions of a ſacrifice. Above all, they grounded themſelves upon the words of Saint *Paul*, who putteth the *Euchariſt* in the ſame kind with the ſacrifices of the *Jewes*, and of the *Gentiles*, ſaying, that, by it, the body and blood of CHRIST are participated; as in the *Hebraiſme*, he that eateth of the hoaſt,

hoast, is pataker of the altar; and one cannot drinke the Cup of our Lord, and eate of his table, and drinke of the Cup of Divels, and be partaker their table. but that the Apostles were ordained Priests by Christ, they prooved plainely, by the words spoken to them by Christ our Lord; *Doe this in remembrance of me*. For better proofe, many authorities of the Fathers were adduced, who doe all name the *Eucharist* a sacrifice, or, in more generall termes, doe testifie that a sacrifice is offered in the Church. Some added afterwards, that the *Masse* was a sacrifice, because Christ offered himselfe in the Supper. And they brought this reason for the most principall, and prooved the ground thereof, because the Scripture saying plainely that *Melchizedec offered bread and wine*, Christ could not have beene a Priest after that order, if he had not done the like; and because Christ said, that his bloud was a confirmation of the new Testament; but the bloud which doth confirme the old, was offered in this institution: therefore it followeth, by a necessary consequence, that Christ himselfe also did offer it. They argued also, that Christ having said, *Doe this in remembrance of me*, if he had not offered, we could not doe it. And they said the Lutherans have no other argument to proove the *Masse* to be no sacrifice, but because Christ hath not offered; and therefore that opinion was dangerous, as favouring the hereticall doctrine. It was also more effectually prooved, because the Church singeth, in the office of the body of our Lord, Christ, *a Priest for ever after the order of Melchizedec, hath offered bread and wine*. And in the Canon of the *Ambrosian Missal* it is said, that instituting a forme of perpetuall sacrifice, he hath first offered himselfe as an hoast, and hath first taught how to offer it. Afterwards by many authorities of the Fathers were produced to proove the same.

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On the other part, it was said with no lesse asseveration, that Christ, in the Supper, hath commanded the oblation to be made for ever, in the Church, after his death; but that he hath not offered himselfe, because the nature of that sacrifice did not comport it. And for proofe hereof, they said that the oblation of the *Crosse* would have beene superfluous, because mankinde would have been redeemed by that of the Supper, which went before. That the sacrifice of the Altar was instituted by Christ, for a memoriall of that which he offered on the *Crosse*; but there cannot be any memoriall, but of a thing past; therefore the *Eucharist* could not be a sacrifice before the oblation of Christ on the *Crosse*. They alleadged also that neither the Scripture, nor the Canon of the *Masse*, nor any Councell ever said that Christ offered himselfe in the supper; and added, that the places of the Fathers before alleadged, ought to be understood of his oblation of the *Crosse*. They concluded, that, having to define the *Masse* to be a sacrifice, as indeed it was, it might most effectually be done by proofes out of the Scriptures and Fathers, without adding such weake reasons. This difference was not betweene many and few, but divided aswell the Divines as the Fathers, into almost equall parts, and occasioned some contention. The former went so farre as to say that the other opinion was an errour, and required that it should be silenced by an *Anathematisme*, condemning of heresie, those that say, that Christ hath not offered himselfe in the Supper, under the sacramentall

In which the Divines are much divided.

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mentall elements. The others said it was not a time to ground ones selfe upon things uncertaine, and upon new opinions, neither heard nor thought of by antiquity, but that one ought to insist upon that which is plaine, and certaine, both by the Scripture and by the Fathers, that is, that CHRIST hath commanded the oblation.

All the moneth of July was spent by the seventeene who spoke upon the first Articles; the latter they dispatched in a few dayes, rather with injurious termes against the Protestants, than with reasons. It is not fitte to relate the particulars, but onely some few that are most notable.

The discourse of Georgius di Ataide.

In the Congregation of the 24 of July, in the afternoone, *Georgius di Ataide*, a Divine of the K. of *Portugal*, sought to overthrow all the grounds of the other Divines, laid to proove the sacrifice of the *Masse* by the holy Scripture; and said first, that it could not be doubted that the *Masse* was a sacrifice, because all the Fathers have said it in plaine words, and replyed it upon every occasion: and he began with the *Latins* and *Greekes* of the ancient Church, and with the *Martyrs*, and came, from time to time, untill the present age, affirming that there is no Christian writer who hath not called it a sacrifice. Therefore it must certainely be concluded that it hath beene so taught by an Apostolicall tradition, the force whereof is more than sufficient to make Articles of faith, as this Councell hath maintained from the beginning. But this true and solide foundation is weakened, by those who would build in the ayre, seeking to finde in the Scriptures that which is not there, giving occasion to the adversaries to calumniate the truth, while they see it grounded upon such an unstable sand. And having thus spoken, he proceeded to examine, one after another, the places of the old and new Testament, alleadged by the Divines, shewing that no expresse signification of the sacrifice could be drawne from them. To the fact of *Melchizedec*, he answered, that CHRIST was a Priest of that order, as he was the only begotten, eternall, without predecessor, father, mother, or genealogie. And this is proved too plainely by the Epistle to the *Hebrewes*, where Saint *Paul* discoursing at large of this place, doth handle the eternity and singularity of the Priesthood, and maketh no mention of the bread and wine. He repeated the doctrine of Saint *Austine*, that when there is a fit place for any thing to be spoken and it is not spoken, an argument may be drawne from the authority negatively. Of the *Paschall Lambe* he said, that it could not be presupposed for a thing so evident that it was a sacrifice, and perhaps to him that would take upon him to proove the contrary, the victory would necessarily be yeelded; and also that it was too hard a *metaphor*, to make it a *Type* of the *Eucharist*, and not rather of the *Crosse*. He commended those Theologues, who, having brought the place of *Malachie*, added that of Saint *John*, *To worship in Spirit and truth*, because indeed, the one and the other did formally speake of the same thing, and were to be expounded alike, that no difficulty might be made concerning the word, *Adorare*: which certainly doth signifie also a sacrifice; and the woman of *Samaria* tooke it in the generall signification. But when CHRIST added, *That God is a Spirit, and will be worshipped in Spirit*, no man that is not willing to expound all things

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in an unproper ſence, will ſay that a Sacrament, which conſiſteth of a thing viſible and inviſible, is purely ſpirituall, but compoſed of this, and the Elementary ſigne. Therefore he that will expound both thoſe places of internall adoration, cannot be convinced, and ſhall have probability on his ſide; the application being plaine, that this is offered in all places, and by all Nations, and is purely ſpirituall, as God is a pure Spirit. And he proceeded, and ſaid that the words, *This is my body which is given for you, and the bloud which is ſhed for you*, have a more plaine dealing, if they be referred to the body and bloud in their naturall eſſence, than in their Sacramentall; as when it is ſaid, CHRIST *is the true Vine, which bringeth forth the wine*, it is not meant that the ſignificative Vine doth bring forth Wine, but the reall. So, this is my blood which is ſhedde, doth not ſignifie that the Sacramentall and ſignificative blood was ſhed, but the blood naturall and ſignified. And that which Saint *Paul* ſaith of taking part of the ſacrifice of the *Jewes*, and of the table of Devils, is underſtood of the *Rites* which GOD did inſtitute by *Moyſes*, and of thoſe which the *Gentiles* did uſe in ſacrificing; ſo that it cannot hence be prooved that the *Euchariſt* is a ſacrifice; that it is plaine in *Moyſes*, that, in the votive ſacrifices, the oblation was all preſented to GOD, and a part burnt, which was called the *Sacrifice*; and that which remained belonged partly to the Prieſt, and partly to him that offered, which they did eate with whom they pleaſed; neither was this called, to ſacrifice, but to participate of the thing ſacrificed. The *Gentiles* did imitate the ſame; yea, that part which was not conſumed upon the Altar, was ſent by ſome to be ſold; and this is the table which is not the Altar. The plaine meaning of Saint *Paul* is, that as the *Jewes*, eating the part belonging to him that offereth, which is a remainder of the ſacrifice, doe partake of the *Altar*, and the *Gentiles* likewiſe, ſo we, eating the *Euchariſt*, are partakers of the ſacrifice of the *Croſſe*. And this is it which CHRIST ſaid; *Doe this in remembrance of me*; and which Saint *Paul* ſaid; *As often as ye ſhall eat of this Bread and drinke of this Cup, you ſhall profeſſe that the Lord dyed for you*. But whereas it is ſaid that the Apoſtles were, by the words of the Lord, ordained Prieſts, to offer ſacrifice, when he ſaith, *Doe this*, without doubt it is underſtood of that which they had ſeen him to doe. Therefore it muſt be manifeſt firſt that he hath offered; which cannot be, becauſe the opinions of the Divines are various, and every one confeſſeth, that both the one and the other is Catholique; and thoſe who deny that CHRIST hath offered, cannot conclude by thoſe words, that he hath commanded the oblation. Then he brought the arguments of the Proteſtants, by which they prove, that the *Euchariſt* is not inſtituted for a ſacrifice but for a Sacrament; and concluded that it could not be ſaid that the *Maſſe* was a ſacrifice, but by the ground of Tradition; exhorting them to reſt upon this, and not to make the truth uncertaine, by deſiring to proove too much. Then he came to reſolve the Proteſtant arguments, and gave his Auditors ill ſatisfaction herein; for hee recited them with force, and good appearance, and anſwered weakely, ſo that he did rather confirme them. This was aſcribed by ſome to the ſhortneſſe of time which remained untill night, and others thought he was not able to expreſſe himſelfe better, and the moſt intelligent were of opinion, that thoſe anſwers did not ſatisfie himſelfe.

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Giveth bad ſatisfaction to the Prelates.

1562 himſelfe. The Fathers murmuring hereat, *Jacobus Pajua*, another *Portugall* Divine, repeated, in the next Congregation, all his arguments, and reſolved them, with ſatisfaction of his hearers; ſaying, in excuſe of his Colleagues, that he was of the ſame minde; and the teſtimonies of the Ambaſſadors and Prelates of *Portugall* of his honeſty, and ſoundneſſe of doctrine, cauſed the Legats not to be offended with him. Notwithſtanding, he departed a few dayes after; neither is his name in the Catalogues of the Divines, but onely in thoſe who were printed at *Breſcia*, and *Riva*, before that time.

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The 28 of July, *John Cavillone*, a *Jeſuite*, and a Divine of the Duke of *Bavaria*, ſpake very cleerely concerning the Articles; repreſenting all, as it were without difficulty, not by way of examination, or diſcuſſion, but ſtirring up their affections to piety. He ſhewed many miracles, which hapned in divers times; affirmed, that from the time of the Apoſtles untill *Luther*, no man doubted of it; alleadged the *Liturgies* of Saint *James*, Saint *Marke*, Saint *Baſil*, and Saint *Chryſoſtome*. Concerning the oppoſitions of the Proteſtants, he ſaid, the were ſufficiently reſolved, without which they ought to beleeve they were but fallacies, becauſe they come from perſons alienated from the Church. And, in the end, he exhorted the Legats not to permit, that in any matter whatſoever, the arguments of the heretiques ſhould be propoſed, without adding a moſt evident reſolution; which he that cannot doe, muſt forbeare to relate them; becauſe true piety requireth, that the reaſons contrary to the doctrine of the Church ſhould not be repeated, before the minds of the hearers be prepared, by ſhewing the perverſeneſſe and ignorance of the inventors, and that their arguments are not hearkened unto but by people of a weake braine; which being done, they may ſuccinctly be rehearſed, with the intermediate proofes, adding the plaine anſwere well amplified; and when it doth ſeeme that ſome thing wanteth, the diſputation is to be diverted to another matter for feare of breeding ſcruple in the minds of the auditors, eſpecially being Prelates, and Paſtors of the Church. His diſcourſe did pleaſe very much the greater part of the Prelats, and was commended for pious and Catholike, and that it did deſerve that the Synod ſhould make a Decree, and command that all Preachers, Readers, and Writers ſhould obſerve the rules ſet downe therein. But it gave ſmall ſatisfaction to the Ambaſſadour of his Prince, who, after the Congregation, in preſence of the Imperialiſts, which came in complement to thanke him for his ſpeech, ſaid, that truely it did deſerve to be commended, for having taught how to uſe Sophiſtry, in the ſimplicity of Chriſtian doctrine.

The *Rites* of the Church of *Rome* are various.

Antonius of *Valtelina*, a *Dominican* Friar, one of the laſt which were to ſpeak of the ſixe laſt Articles of the *Rites*, ſaid, that it was plaine by all hiſtorie, that anciently every Church had her particular *Ritual* of the *Maſſe*, brought in by uſe, and upon occaſion, rather than by deliberation and decree; and that the ſmall Church did follow the *Metropolitan*, and the greater, which were neere. The *Romane rite* hath beene, to gratifie the Pope, received in many Provinces, though the *Rites* of many Churches are ſtill moſt different from it. He ſpake of *Mozarabo*, where there are horſes and fencings after the maner of the *Moores*, which have a great myſtery and ſignification; and this is ſo different from the Romane, that, if it were ſeene in *Italy*, one would not thinke

thinke it to be a *Maſſe*. But that of *Rome* alſo hath had great alterations (as will appeare to him that readeth the ancient booke, which remaineth as yet, and is called *Ordo Romanus*) which have beene made, not onely in ancient times, but even in the later ages alſo, and the true *Romane rite*, obſerved within three hundred yeeres, is not that which is now obſerved by the Prieſts in that City, but that which is retained by the *Order* of *S. Dominicke*. For the veſtments, veſſels, and other ornaments of the Miniſters and *Altars*, it appeareth not by bookes only, but by ſtatues, and pictures, that they are ſo changed, that if the ancients ſhould returne into the world, they would not know them. Therefore he concluded, that to bind all to approve the *Rites* which the Church of *Rome* uſeth, might be reprehended, as a condemnation of antiquity, and of the uſes of other Churches, and might receive worſe interpretations. He adviſed to diſcuſſe the eſſence of the *Maſſe*, and not make mention of theſe other things. He returned to ſhew the difference betweene the preſent *Rite* of *Rome*, and that which is deſired in the *Ordo Romanus*; and among other particulars, inſiſted, much upon this, that, according to that, the Laickes did communicate with both kindes; and ſo began to perſwade the grant of the Cup at this preſent. His diſcourſe diſpleaſed the Auditory; but the Biſhop of *Five Churches* protected him, and ſaid, that he had delivered nothing untruly, nor given any ſcandall, becauſe he ſpake not to the common people, nor to fooles, but in an Aſſembly of learned men; to whom no truth can give bad ſatisfaction, and that he that would condemne the Friar, as ſcandalous or raſh, did firſt condemne himſelfe, as uncapable of the truth.

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The ſame difference which was betweene the Divines, was alſo between the Prelates, deputed to compoſe the doctrine and the *Anathematiſmes*, to be propoſed in Congregation. For, in the doctrine, being to alleadge the proofs and explications, ſome approoved or diſprooved one, and ſome another, according to their affections. *Martinus Pereſius*, Biſhop of *Segovia*, who had been preſent in the Councell at the handling of this matter, in the end of the yeere 1551. was of opinion, that the ſame doctrine and Canons ſhould be taken, which were compoſed to be publiſhed in January 1552. and that they ſhould be reviewed. But Cardinall *Seripando* did not approove it, ſaying, that there appeared in that an incomparable piety and Chriſtian zeale, but ſubject to the calumnies of the adverſaries; and that the end ought not to be the inſtruction of the Catholikes, as the aime of thoſe Fathers ſeemeth to have beene, but the confuſion of the heretickes. Therefore that they ought to be more reſerved in all parts, and not to meddle with correcting the things ordained then; that it was better to begin againe, and not to give occaſion that it may be ſaid, that they have repeated that which was ſowen by others. *Granata* diſſented from all, and would not have it ſaid, that CHRIST made an oblation in the Supper, or did inſtitute the ſacrifice, by thoſe words, *Doe this in remembrance of me*. For the firſt, *Seripando*, ſaid, he did not thinke it neceſſary, and that it might be omitted, it being ſufficient that CHRIST hath inſtituted the oblation; but yet it was neceſſary to ſay by what words it was inſtituted, and there be not any other but thoſe before mentioned. *Johannes Antonius Pantuſa*, Biſhop of *Lettere*, was very paſſionate

The Prelates are divided in opinion, about publication of the doctrine.

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sionate to have the reasons of *Melchizedec*, *Malachie*, of the adoration of the woman of *Samaria*, the tables of Saint *Paul*, the oblation of Christ in the Supper, and every other reason alleadged to be put into the Decree. In the end, after the disputation of many dayes, they agreed to put all in, that the Prelates might speake their opinions in the Congregations, and that might be taken away which did not please the *major* part. They made also a collection of the abuses, which daily happen, in the celebration of *Masses*, which were but few in respect of those which were noted in the yeere 1551.

The Arch-bishop of *Lanciano*, and of *Palermo*, are contrary in opinion.

The thirteenth of August a generall Congregation was helde to receive the *Proctors* of the Bishops of *Ratisbone*, and *Basil*, that they might honour this second, to the shame of the City of *Basil*, which did contend with him for the title, saying, he should not be called Bishop of *Basil* but of *Bontruto*. The draught being given forth, the Archbishop of *Lanciano* was of opinion, that the *Anathematismes* only should be published, and the points of doctrine wholly omitted. He alleadged the example of other Councels, in very few of which it hath otherwise bin observed, and that this same Councell of *Trent*, in the matter of Originall sin, of the Sacraments, and of Baptisme, did leave it out. He said it was for Doctors to shew reasons for their opinions, but the Judges (such as Bishops in Councell are) were to make their sentences absolute; that, if a reason be added, not only the Decree, but that also may be impugned; without which every one will thinke that the Synod hath been mooved by most potent arguments, and every one will beleeve that it hath been induced by those which himselfe doth most esteeme; that it is not secure to use reasons, though most evident, because the heretikes will oppose them, and esteeme them but little; and the more is said, the more matter of contradiction is ministred. He added also, that the conjunctures did require a sudden dispatch of the Councell, and did intimate, by words understood by the Legats and favourers of the Pope, that by this meanes they should give satisfaction to his Holinesse *Octavianus Preconius*, Arch-bishop of *Palmero*, who followed him in order, spake to the contrary; that the use of Councels hath beene to make a *Symbol* of their owne, unto which the doctrine doth answere, and then to adde the *Anathematismes*. That this having been observed in this Councell under *Julius*, and now againe in the last Session, if it were not continued, it would be said, it was for want of reasons. He said it was base, to shun the disputation of Heretikes, yea that their contadiction would make the doctrine of the Councel shine more brightly, and that they were not to take care to finish the Councell quickly, but to finish it well. These two Prelates were so tedious, that the night concluded the Congregation, and they said it was no wonder if *Dominican* of *Geneva* (for so *Landiano* was) should be contrary to a *Franciscan* of *Sicily*.

The Legats use practises to divert the discussion of *Residence*.

The daies following divers practises were used, by some to finish, by others to prolong the Councell, and those who were interested used these and the like reasons. But the matter being proposed once againe in Congregation, the *major* part thought fit to continue the order begun. This set on foot againe the disputation about *residence*, and the same men were desirous of the conclusion of the Councell and of the omission of that matter. Which gave occasion to *Mantua* and *Seripando* to use their endeavours, and to shew the Pope,

Pope, by effects, that they did accommodate themselves to his pleasure, according to the instruction which *Lanciano* had brought them by word of mouth. They employed herein, to use good perswasions, the Arch-bishop of *Otranto*, the Bishops of *Modena*, *Nola*, and *Brescia*, who were not open *Papalins*, but newly gained. They did overcome the *Italians*, inducing them not to change their opinions, nor to contradict themselves, but not to urge that matter any more. Many did promise that if the *Spaniards* would surcease, themselves would doe the like. These foure Prelates made a note of all they had perswaded, and found they had gained much; but with the *Spaniards* it was impossible to prevaile a jot, yea this made them combine the more. They wrote a common letter to the King, in answere of that which his Majesty had written to the Marquis of *Pescara*; first complaining of the Pope, for not suffering the point of Residence to be decided, in which all the reformation of the Church is to be grounded; and with a very faire and reverend manner of speech; they concluded there was no liberty in the Councell; that the *Italians* did overcome with plurality of voyces, of which some for pensions, some for promises, and those who were least corrupted for feare, did obey the will of his Holinesse. They complained of the Legats, who if they had suffered, as they ought, the point to be concluded, when the fit time was, it might have beene resolved for the service of God, with great concord, before they could have written from *Rome*. That two thirds of the Prelates did desire the definition, that all the Ambassadors did favour the truth herein: yet proceeding with modesty and charity, they never had the courage to protest; They beseeched his Majesty to consult with godly men about this Article, assuring themselves, that, after mature deliberation, he would favour the opinion, as being Catholike, pious, and necessary for making a good reformation.

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The Spanish Prelats write a common letter to their King, and tell him that there is no liberty in the Councell.

This accident assured the Legats, and their adherents, that it was impossible to bury this matter in silence, seeing that the *Spaniards* were not pacified, either by the Kings letter, or by the perswasions used to them: yea, had declared themselves againe, by writing into *Spaine*, which made them seeme to be insuperable. The *Papalins* therefore consulted together, and resolved to send to the Cardinall of *Ferrara* into *France*, a Copy of the Catholique Kings letter to *Pescara*, that he might procure such another from that King to the French Ambassadours, as well to hinder their practises to the contrary, which they daily made, as that the French Bishops, when they came, might not unite with the *Spaniards*, as these did hope, and expect. And, to discredit the *Spaniards* with their King, they resolved to write into *Spaine*, that *Granata* and *Segovia*, their Leaders, who make shew of conscience, had promised their voyces to the Bishop of *Five Churches*, for the Communion of the Cup, not respecting his Majesty, who doth so much abhorre it.

At this time, the Pope, considering in what imminent danger his authority was, in regard of the difficulties and confusions of *Trent*, stirres of *France*, and of the Diet which was prepared in *Germany*, in which the Emperour would be forced for his owne interests to yeeld to the Protestants, thought fit to secure himselfe by all meanes, and had given money a month before to ten Captaines, to raise souldiers, which were lodged in *Romania*

The Pope maketh levies of Souldiers.

and

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and *Marca* and grew very familiar with the Ministers of the Princes of *Italy*, and with the Cardinals who were their neere friends. This bred a suspicion in the *Spaniards* and *French-men*; and the French Ambassador exhorted him to desist from making provisions of warre, for fear of disturbing the Councell. The Pope answered, that the *English-men* and Protestants of *Germany*, having declared themselves that they will assist the Hugonots of *France*, it was not fit for him to be unprovided; that the world was full of heretikes, and therefore it was necessary to protect the Councell, as well by force, as by authority. The Spanish Ambassadour went not the same way, but confirming that the proceedings of the Protestants were to be suspected, promised him all ayde and assistance in the Kings name; which hee did to hinder the making of a league in *Italy*, which would never have beene pleasing in *Spaine*. The Pope accepted the offer; and, understanding at the same time the union of his Legats, and how zealous they were to doe him service, was much consolated. And he sent them word that they should hinder all speech concerning *residence*, if it were possible, or, if they could not, should make use of plurality of voyces; but above all, that they should dispatch quickly, and that they might conclude it before the comming of the French-men, and the assembling of the Diet in *Germany*, that the Emperour for the great desire he hath to make his sonne King of the Romanes, may not suffer himselfe to be perswaded by the Protestants, to propose in Councell some thing more prejudiciall, than those things which have beene proposed already.

And is pleased with his Legats.

The request of the French Ambassadors.

The French Ambassadours, after they had often made a modest request, that their Prelates might be expected, did, the tenth of August, present it in writing. The tenor whereof was, That the most Christian King, resolving to observe and reverence the Decrees of Councels, which represent the universall Church, doth desire that the Canons of this may be received by the adversaries of the Church of *Rome*, of which those who are not separated have no need; and he thinketh that those which are to be made, will be more acceptable, if the Session be prorogued, that, unto so great a multitude of Italian and Spanish Prelates, the French Bishops may be added, of whom, in the ancient Councels of the Church, great account hath beene made. The cause of their absence, which they the Legats have heard before, and judged necessary, will cease quickely, as it is hoped, and, in case it should not, yet they will arrive before the end of September, because they are so commanded by the King. And hereby it will come to passe also, that the Protestants, for whose sake the Councell was intimated, who say every that they will be present in it, will have lesse cause to complaine, because they cannot require more maturity in this weighty businesse, nor accuse them for too much precipitation. They demanded that, while their Bishops were expected (that none might thinke that the King did designe that by this means the Councell should be idle or dissolve) they would treat onely concerning manners, and discipline, and the two points remaining, in matter of the Communion of the Cup. They added this last clause, not to displease the Imperialists, who had hope to obtaine it in that Session. The Legats, having consulted, answered in writing, that the prelats of *France* were

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were, before the Councell was opened, expected almost sixe moneths, and after it was begun, which was principally done in regard of *France*, they deferred to handle any matter of weight sixe moneths more, into which because they are now entred, it is not convenient to desist, because they could not so doe, without dishonouring the Councell and much incommodating so many Fathers; but to prolong the day of the Session was not in their power to grant, without consent of the Fathers; and therefore that they could not expect from them a more determinate answere. 1562

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The French-men then desired, that it might be granted to them to make their proposition in the Congregation. But the Legats answered, that, before it had beene tolde them, and all the other Ambassadours, that they might negotiate with none but the Legats, and that it was formerly decreed in that same Councell that Ambassadours might not publiquely speake in Congregation, but onely the day in which they are received, and their *Mandate* is read. This made the French-men complaine much to the Bishops, and especially to the Spaniards, and to say it was a great absurdity that the Ambassages should be addressed to the Synod, and the *Mandats* presented to it, and yet they might not treat with it, but with the Legats onely, as if they were Ambassadours to them, who are but Ambassadours themselves, as the Pope who sendeth them is a Prince; and as he is a Bishop, and the first Bishop, they are but Proctors of one who is absent, and have beene alwayes so esteemed in ancient Councels. They alleadged the example of the Councels of *Nice*, *Ephesus*, *Chalcedon*, *Trullus*, of the second of *Nice* also, and that the breach betweene the Pope and the Councell of *Basil* was, because they pretended to change this ancient and laudable institution. That this was a kinde of grievous servitude in the Councell that they could not be heard, and an injury to Princes, who would not treat with those with whom they were to manage the affaires of their states; that the Decree alleadged by them, was not shewed, and that it was fit to see it, and to know from whom it proceeded. For if the Legats for the time being did make it, they did extend their authority with great exorbitancy; if the Synode, it was necessary to examine how, and when. For it was an intolerable inconvenience, which was done in the beginning of this last Convocation of the Councell, that the Legats, with a few Italian Prelates, who came from *Rome* onely, should make a Decree, and practise it with rigour, that nothing may bee proposed, but by the Legates; so that the way is barred to all Princes, and Prelates, to be able to propose a good reformation, which would be for the service of God; but in stead of that, the doctrine controversed with the Protestants is handled in their absence, without any benefit of the Catholiques, who doe not doubt of it, and aliening the Protestants, by condemning them before they are heard. And their complaints were renewed when they were informed from *Monsieur de l'Isle*, Ambassadour of their King in *Rome*, that, by the Kings order, hee had made the same request to the Pope, that the French Bishops might bee expected all September, and that his Holinesse had referred it to the Legates. *Lansac* said, it was a thing worthy of externall memory; The Pope referred it to the Legates, the Legates cannot doe it without the

All Ambassadors must negotiate with the Legates onely.

Whereof the Ambassadors do complaine.

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Synode, and that cannot heare them; and so the King and the world are deluded.

The eleventh of August the Bishops began to give their voyces, concerning the Decrees in matter of the Sacrifice; and almost all did lightly and uniformely passe over all, but onely that some did not approove the putting in of the oblation of our Lord, in the Supper, and others did maintaine it, and, for many dayes, the number on both sides was almost equall. I must not omit, as a thing worthy of memory, that the fourteenth of August *James Laynez*, Generall of the Jesuites did arrive; about whose place, because that society had never been in Councell, there was much adoe. For hee would not content himselfe with the last place of the Generals of the Regulars, and three of the same society laboured to put him forward; for which cause he is not named in the Catalogues of those who assisted in the Councell.

Why the Generall of the Iesuites is not in the Catalogue of those who assisted in Councell.

The Spanish Prelates presented to the Legats a request subscribed by them all; in which, having rehearsed many inconveniences, caused by the exorbitant *graces*, and *priviledges*, granted to those of the *Conclave*, they demanded a revocation, or, at the least, a moderation of them. The Cardinals, entring into the *Conclave*, where they are locked up for the election of the future Pope, use to have two servants apiece, one for a *Chaplaine*, another to serve in the Chamber; which are elected by them rather for negotiations, than to serve their persons, and are ordinarily the best Courtiers of *Rome*. These oftentimes have no lesse parts in those affaires than their Masters; so that it hath beene an old use, that, when they come out of the *Conclave*, the new Pope receiveth them all into his family, and giveth them *Priviledges*, fitting the degree of every one, of one kind to Priests, of another to Seculars. Amongst those which then were usually given to Priests, were these; that they might resigne, to any Ecclesiasticall person, the Benefices they held, and cause them to be conferred upon whomsoever they would name; that they might change their Benefices with any beneficed man, themselves making choice of the persons to conferre both the one and the other. By this exorbitant Faculty, an open merchandizing was caused, and the Bishops perceived that where any *Conclavist* was, Canonries, Parish Churches, and other Benefices were scandalously changed, at pleasure. The Spaniards complained much because great inconveniences had lately happened in *Catalonia*, by meanes hereof. But the Legates said, that the moderation of such abuses belonged onely to the Pope, because it concerned persons of his family, and that it had beene often concluded, to leave the reformation of the Court to him, much more of his family; but they promised to write to his Holinesse, and to desire a provision: as they did. The Pope considering that the *Conclavists* of account remaine at *Rome*, and with the Cardinals; and that the provision would touch onely some few, and those of small esteeme, men retired to their houses, and that it was fit for his affaires, to give some satisfaction to the Prelates of the Councell, especially to the Spaniards, resolved to yeeld unto them, and, in the next moneth, made a revocation of many priviledges granted unto those, which notwithstanding was not observed by his Successor.

The Priviledges of the Conclavists.

Faber

Faber, the third French Ambaſſadour, parted from *Trent*, to returne to *France*, which made the Papalins ſuſpect that he went to give an account of the Councell, and to ſolicite the comming of the French Prelates: and they thought he would doe bad offices, becauſe they ſaw his inclination by ſome of his letters written to the Chancellor, which they had intercepted, for the ill ſatisfaction he and his Colleagues had, becauſe they could not obtaine the prorogation. Which being related to *Lanſac*, by ſome creatures of *Simoneta*, to diſcover the truth, he anſwered that he was gone for his owne particular occaſions, and that it was no marvell, if, the defects of the Councell being ſo manifeſt, one did thinke they might be related. 1562 PIUS 4 FERDINAND. ELIZABETH. CHARLES. 9 PHILIP 2.

But concerning the Sacrifice of the Maſſe, in the Congregation held untill the eighteenth, all contended reſolutely about the oblation of CHRIST in the *Supper*: and Father *Salmeron* was the principall man to perſwade the affirmative. He went to the houſes of thoſe who were of the other opinion, eſpecially of thoſe who had not given their voyces, perſwading them to be ſilent, or, at the leaſt to ſpeake remiſly, and uſed the name of Cardinall *Varmienſe* principally, and ſometime of *Seripando*; intimating the other Legats, without naming them. And this he did with ſuch importunity, that the BB. of *Chioza*, and of *Veglia*, complained of it in the Congregation of the 18 of Auguſt. And this ſecond ſpake for the negative with very forcible reaſons. He told them they ſhould conſider well of it, becauſe one *propitiatory ſacrifice* being offered, if it be ſufficient to expiate, no other is offered but onely for thankſgiving; and he that maintaineth a *propitiatory ſacrifice* in the *Supper*, muſt needes confeſſe that, by it, we are redeemed, and not by his death; which is contrary to the Scripture and Chriſtian doctrine, which aſcribe our redemption to this. And if any ſay it is all one, begunne in the *Supper*, and ended in the *Croſſe*, he falleth into another inconvenience as great, becauſe it is a contradiction to ſay that the beginning of a *Sacrifice* is a *Sacrifice*, and if one ſhould ceaſe after the beginning, and goe no further, no man would ſay he had ſacrificed: and it will never be beleeved that, if CHRIST had not been obedient unto his Father, even unto the death of the *Croſſe*, but had only made an oblation in the *Supper*, we had beene redeemed; ſo that it cannot be ſaid that ſuch an oblation may bee called a *Sacrifice*, becauſe it is a beginning of it. He ſaid he would not abſolutely defend that thoſe arguments were inſoluble, but that the Councell ought not to tie the underſtanding of any, who had conceived an opinion, vpon ſo good reaſons. He ſaid, that, as he made no difficulty to call the *Maſſe* a *propitiatorie ſacrifice*, ſo he could not by any meanes be ſatisfied, that it ſhould be ſaid that CHRIST did offer, becauſe it is enough to ſay that hee commanded the oblation. For (ſaid he) if the Synod doth affirme that CHRIST did offer, the ſacrifice was either *propitiatory*, and ſo it will fall into the difficulties before mentioned, or not *propitiatory*, and ſo, by that, it cannot be concluded that the *Maſſe* is *propitiatorie*: yea, on the contrary, it will be ſaid that the oblation of CHRIST in the *Supper* was not *propitiatory*, and therfore that of the Prieſt in the *Maſſe* ought not to be. Hee concluded, that it was more ſecure to ſay onely that CHRIST commanded the Apoſtles to offer a *propitiatory ſacrifice* in the *Maſſe*. Then he obliquely touched *Salmeron*, ſaying, that, if in points of reformati-

A ſharpe contention about the oblation of Chriſt in the *Supper*.

Salmeron the Ieſuite is taxed for proceeding by action in matter of faith.

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on, practises were used, it were tolerable, because they are humane, but to proceed by faction, in matter of faith, is not a good example. The Bishop perswaded so many, that it was almost the common opinion, not to make mention of the *propitiatory sacrifice* offered by CHRIST in the *Supper*.

The same day the Arch-bishop of *Prague*, who came not long before from the Emperor, presented his letters to the Legats, and letters came also from the *Nuncio Delphinus*, resident with his Majesty: both which signified, that his desire was that the *sacrifice* of the Masse should not be handled before the Diet, and that the Article of the communion of the Cup might be dispatched in the first Session. The Archbishop presented also, in the Emperours name a forme of reformation. The Popes command, to finish the Councell quickly, was so peremptory, that the Emperors first demand could not be granted: but he was partly satisfied in the expedition of the matter of the communion of the Cup. For the Pope, unto whom the Emperour had made the same requests, wrote to *Trent* that they should doe so. Therefore, in the next Congregation, *Mantua* proposed, that, the doctrine of the Sacrifice being concluded, the communion of the Cup should be handled. As the Prelates were giving their voices, it was remembred, that the difficulty, whether CHRIST did offer himselfe in the Supper, was not proposed to be disputed by the Divines, howsoever they have accidentally spoken of it, and therefore that it would be good to propose it, that it might be disputed on expressly, or omitted.

The Generall of the Jesuites was the last that spake in this matter; who was wholly for the oblation of CHRIST, and spent a Congregation himselfe alone, whereas, in the other, betweene seven or ten Prelates did speake. Every one having given his voyce, howsoever the opinions were almost equally balanced, yet the Legats at the earnest intreaty of *Varmiense*, resolved to put the *oblation* into the Decree, but not using the word *Propitiatory*. In the end of the Congregation, the Bishop of *Five Churches* seconding the proposition of the Cardinall of *Mantua*, made an Oration; in which having first repeated the negotiations and paines, taken by the Emperour for the service of the Christian Common-wealth, and to restore the Catholique purity, not only after he was assumed to the Empire, but in the life time of *Charles*, he added, that his Majesty had found by experience, that the most grievous contentions and complaints of the people did arise from the prohibition of the Chalice, and had therefore desired it should be treated on in Councell. Whereupon himselfe, and the other Ambassadours, by commission from him did, at the first, put the Fathers in mind to consider that Christian charity did require, that they should not suffer so many sacriledges, and slaughters in most noble Provinces, and hinder the reducing of so many souls into the bosome of the Catholique Church, by enjoying the observation of a Rite with too much severity; that there is an infinite number of those, who having not abandoned the Orthodox faith, are notwithstanding weake of conscience, who cannot be cured but by this permission; that his Imperiall Majesty is forced to make continuall warre with the Turkes, which he cannot doe but by the common contribution of *Germany*; whereof so soon as he maketh mention, they begin to speake of Religion, and principally demand

The Bishop of *Five Churches* maketh an Oration concerning the Communion of the Cup.

demand the uſe of the Cup, which if it be not granted, and ſo the controverſies taken away, it is to be ſuſpected that not *Hungary* onely, but *Germany* will be poſſeſſed by the *Barbarians*, with danger of other bordering Provinces; that the Church hath alwayes uſed to embrace thoſe *rites* which are contrary to the new hereſies: and therefore it is good to take this reſolution which doth ſhew the faith of the verity of the moſt bleſſed *Euchariſt* againſt the *Sacramentaries*; that there is no need, as ſome require, to ſend a Proctor expreſly in the name of thoſe who doe deſire it, as was done in the Councell of *Baſill*; for then all the Kingdome alone demaunding that favour, it might eaſily be done: but now not one people, or Nation alone, but an infinite number diſperſed in many Regions, doth make the demand; that it is no marvaile if the Petition were firſt preſented to the Pope, and not obtained; becauſe his Holineſſe did wiſely referre all to the Synode, to ſtoppe the mouthes of the *Heretiques*, who will not receive favours from that Sea, and becauſe he would not ſeeme to derogate from the Councell of *Conſtance*, it being convenient, that the uſe of the Cup taken away by a generall Councell ſhould be permitted by the definition of another, as alſo to give reputation to the Synode, to which it is fit to remit this determination which may compoſe the diſcords of the Church; that he had letters from *Rome*, that the Pope did thinke the demand honeſt, and neceſſary, and tooke it in good part that it was deſired of the Councell. Then he preſented the Article concerning the Cup, as he deſired it ſhould be handled. And it contained, in ſubſtance; that it might be granted to the States of the Emperour, as they comprehend all *Germany* and *Hungary*. This being read, the Prelates made a great buſſeling, and gave manifeſt ſignes that they would contradict. But they were quieted for that preſent, becauſe it was told them, that they might deliver their opinion, when the voyces were collected. 1562

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The third of September, the French Ambaſſadours made a new requeſt to the Legats, that, to give more credit to the Councell, and to make the Decrees thereof to be more eaſily received in their Kingdome, they would prorogue the Seſſion a moneth, or five weeks, handling other matters in the meane while, to publiſh afterwards in the next Seſſion aſwell that which hath beene diſcuſſed and determined already, as that which ſhall be handled and determined in the meane ſpace; for ſo no time would be loſt, the Councell would not be prolonged, and the King and the whole Kingdome would receive great ſatisfaction. Beſſides, the Prelates of *Polonia* being expected to come ſhortly, it would be a thing of much edification to the univerſality of Chriſtendome, to ſhew that eſteeme is held of two ſuch conſiderable Kingdomes. This inſtance was made the day before the Legats received letters from the Cardinall of *Ferrara*, that the Cardinall of *Loraine* and the French Prelates would come by all meanes, and twenty *Pariſian* Doctors with them. And other letters were ſhewed alſo, written to divers Prelats by their friends, giving the ſame advice, adding, that their intention was to handle the point of the ſuperiority of the Pope and Councell. Therefore they thought it ſo much the more neceſſary to diſpatch the things already diſcuſſed, that they might not be croſſed with new troubles, fearing alſo that, to the bad hu-

News of the comming of the Cardinall of *Loraine* to *Trent*, with many Prelats & Divines.

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mors in *Trent* worſe being added, and more violent, ſo many difficulties would be raiſed, that either the Councell would be infinite, or ſome prejudiciall thing reſolved. But the Legats concealing theſe reaſons, anſwered the Ambaſſadors with honorable termes, in the manner formerly uſed by them. That the Councell was called principally for *France*; that the Prelates had beene long ſince called; that to entertaine ſo many Fathers a longer time, in the ſame expectation, would be an indignity to the Councell, and that, if the things diſcuſſed were not publiſhed, the world would thinke that it was either by reaſon of ſome diſſention amongſt themſelves, or becauſe the reaſons of the Proteſtants had ſome validity. But *Lanſac* being ſatisfied with no anſwere, and ſtill preſſing the dilation more, complained that the Councell was opened for the French-men, and yet they were not expected; that he could never obtaine any requeſt of the Legats; that his remonſtrances were contemned; that in ſtead of gratifying his King, they uſed greater precipitation; that he did not attribute this to the Legats, knowing they did nothing but what was commanded from *Rome*; that they were in an error for ſuſpecting the comming of the French-men; that having aſſayed ſo often to obtaine that which was juſt, and ought to be granted without demand, it was now fit to thinke of other remedies; and ſpake ſo, as that he made them doubt he would doe ſome extraordinary matter. This raiſed a rumour in the Councell, that it would be diſſolved. Which pleaſed the greater part; ſome, to free themſelves from the incommodities they ſuffered; ſome, becauſe they thought that remaining there they ſhould doe God little or no ſervice; and the Papalins, for feare of ſome attempt. It was publikely ſaid, that *Loraine*, upon all occaſions, had ſhewed an inclination to diminiſh the Popes authority, that he would open ſome way for *France* to aſcend to the Papacy, which he thought not fit ſhould be wholly in the diſpoſition of the Colledge of Cardinals, conſiſting of *Italians*; that *France* had ever pretended to limit the Popes power, to ſubject it to the Canons and Councels; that this opinion would be favoured by the *Spaniards*, who already, howſoever they were much reſerved in their ſpeeches, had declared their deſire for the ſame, and would be followed by many *Italians*, who, becauſe they cannot, or know not how to make uſe of the preferments of the Court, do envy thoſe that doe, beſides thoſe who are deſirours of novity not knowing why; of whom there ſeemed to be a conſiderable number.

The complaint of *Lanſac*.

In *Trent* a diſcourſe was publiſhed, which paſſed through the hands of all, and was ſent by the Legats to *Rome*; in which it was ſhewed that it was impoſſible to finiſh the Councell in a ſhort time, becauſe all Princes were inclined to prolong it. Of the French-men and Imperialiſts it could not be doubted, in regard of their demand made for the dilation. The King of *Spaine* ſhewed the ſame minde, having deſtinated the Count *di Luna* for Ambaſſadour to the Synode, ſo ſoone as the Diet of *Francfort* ſhoud be ended, to which he was firſt ſent. The Prelates, by their tedious diſcourſes, would draw the matters in length alſo. Then was ſhewed the impoſſibility to continue long in this ſort, there being no proviſion of corne but for September onely: and it being not knowne where any may be gotten, in regard of the generall dearth, and the delay, made by the Emperour and Duke of

A diſcourſe publiſhed in *Trent*.

of *Bavaria*, to answer the demand made unto them concerning victuals, it did seeme they could not be relieved. It was added that the Protestants would alwaies be laying some snares to make the Fathers fall into some dishonorable resolution, and raising novities to cause Princes to propose things prejudiciall; that the Bishops seemed to aspire to liberty, and would not in time be contained within such narrow bounds, and that the Synode would not only be made free, but licentious also: and, by a fine *metaphor*, the progresse of the Councell was compared to a mans body, which doth get, with delight, a small, and in the beginning not regarded *French* infection, which afterwards doth increase, and possesseth all the blood, and all the powers of it. It exhorted the Pope to consider well on it, and not to come to a *translation*, or *suspension*, for feare of being contradicted by all Princes, but to learne how to use those remedies which God doth send him. 1562. PIVS 4. FERDINAND ELIZABETH. CHARLES 9. PHILIP 2.

Amidst these troubles the Legats hastened to conclude the Decrees for the Session. That of the sacrifice stood in good termes; but they talked still of the grant of the Chalice: and there were three opinions. One extreame, and negative, that, by no means, it should be granted; another affirmative, that it should be granted, with the conditions, and cautions, which seemed good to the Synode, which was maintained by fifty of the most intelligent persons; and amongst these, some would have Ambassadours sent into the Countreys which did desire it, to take information whether the grant were fit, and with what conditions. The third, that it should be remitted to the Pope; which was divided into many branches. Some would have had an absolute remission, without declaring whether he should grant, or deny it; and others, with a declaration, that he should grant it, according to his wisdome. Some would have restrained him to particular Countreys, and others left him to his liberty. The *Spaniards* did absolutely deny it, because the Ambassadour *Vargas* had written to them from *Rome*, that it would be for the good of religion and service of the King, in regard of the Low-Countreyes and the State of *Milan*, who, when they should see their neighbours enjoy that liberty, would require it themselves also, and whether it were granted or denied, a great gate would be opened to heresie. The *Venetian* Prelates, perswaded by their Ambassadours, were of the same minde also for the same reason. Three opinions about the grant of the Chalice

I will recite the principall Authors only of these opinions, and the things remarkable spoken by them. The Cardinall *Madruccio*, who spake first, approved the grant, without exception. The three Patriarches did absolutely deny it. Five Archbishops who followed, referred themselves to the Pope. *Granata* who had promised the Emperours Ambassadours to favour them, that they might adhere to him in the matter of *Residence*, on which he insisted above all, said he did neither affirme nor deny, but that it could not be concluded in that Session, and was necessarily to be deferred until another, but would not referre himselfe; saying it was a matter of great deliberation, because it could not be regulated by the Scripture, or Traditions, but by wisedome onely; wherein it is necessary to proceed with circumspection, for feare of being deceived in the circumstances of the fact, which cannot be knowne by speculation, or discourse; that he made no difficulty, as o- Of which the principall authors were.

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thers did, for the danger of effusion, shewing that the Wine is not spilt in the oblation which is now made; that, if it would make an union in the Church, it should not be abhorred, it being but a Rite, which may be changed for the good of the faithfull: but yet he reserved himselfe, because other extravagant things might afterwards be demanded; that, to avoyd error, it would be good first to have recourse unto God, by Prayers, Processions, Masses, almes, and fastings: afterwards, not to omit humane diligence, in regard there are no Prelates of *Germany* in the Councell, to write to the Metropolitans to assemble them, and examine the matter well, and to informe the Synod according to their conscience. He concluded, that, it being impossible to doe so many things in a short space, he thought fit to desist now, and deferre the determination untill another time. *John Baptista Castagna*, Archbishop of *Rosano*, disswading the grant absolutely, spake against those that made, and those that favoured the request, taxing them not to be good Catholiques, because, if they were, they would not desire a thing unfit, with scandall of others. And he said plainly, that the request did aime to bring in heresie, and used such words, that every one understood, that he meant *Maximilian* King of the *Bohemians*.

The Arch-bishop of *Braga*, or *Braganza*, said, he was informed that in *Germany* there were foure sorts of men. True Catholikes: Obstinate heretickes: Concealed heretickes; and men weake in faith. That the first doe not demand the grant, yea oppose it; the second care not for it; the third desire it, that they may cover their heresie, because they may counterfeit in all other things, but in this; which therefore was not to be granted them, for that it would foster their errours; but the weake in faith were not such, but only for the bad opinion they have of the Ecclesiasticall power, and of the Pope, and doe not demand the Cup for devotion, which is found only in persons of a good life, whereas they are drowned in vanities and pleasures of the world, and doe willingly confesse and communicate once a yeere, which doth not demonstrate such heat of zeale that they should desire to communicate with both kindes. He concluded, that the diligence of the Fathers of *Basil* ought to be imitated, that foure or six Prelates of the body of the Councell should be elected, who, as the Legats, accompanied with Divines fit to preach, should visite the Provinces named by his Imperiall Majesty; or where they found penitent men, who desired the Cup for devotion, or because they were accustomed to that Rite, and for all other matters would obey the Church, should reconcile them, and grant it unto them.

The *Titular* of *Philadelphia*, though a *Dutch-man*, said, that to deny it, being demanded by the Emperour, was dangerous, and pernicious to grant it; but that he was resolved rather to displease them that speake against his conscience; that it was impossible to practise the use of the Chalice, without danger of effusion, carrying it about, to places remote, and of bad passage, many times by night, in time of snow, raine, and ice; that the Protestants would boast, and inculcate to the people, that the Papists doe beginne to know the truth; and that, without doubt, those who make the request doe maintaine that the precept of Christ cannot be fulfilled, but by taking the Eucharist under both kinds. And he took in his hand a *Catechisme* written

ten in *Dutch*, which he read and expounded in *Latine*, and declared what their opinion was. He added, that the *Catholikes* would have the worſe, and to gaine a few, would looſe very many; that they would doubt on which ſide the true faith was, ſeeing the *Catholikes* yeeld to the cuſtomes of the Proteſtants; that the grant made unto *Germany* would moove other Provinces, and eſpecially *France*; that the *Heretiques* will make proofe by this, to overſway the conſtancy which they have found in the doctrine of the Catholike Church. He concluded, that it ought to be deferred, at the leaſt, untill the end of the Diet, that the Dutch Prelates might ſend to the Councell; approving the opinion of *Granata* to deferre, and the other of *Braga*, that thoſe who deſire the Cup have all a roote of hereſie; and added, that the Emperours Ambaſſadors had made ſuch paſſionate inſtances, and ſuch effectuall perſwaſions, that, being intereſted ſo much, it was not fit they ſhould be preſent in Congregation, that every one might ſpeake freely. Friar *Thomas Caſſellus* Biſhop of *Cava*, having recounted that the Biſhop of *Five Churches* had perſwaded many, ſaying, that if it were not granted, ſo many miſchiefes would follow, that it had been better never to have called a Councell, ſhewed at large, that it ought not to be granted though the loſſe of many ſoules ſhould enſue, becauſe a greater number would periſh if it were granted. 1562. PIVS 4. FERDINAND ELIZABETH. CHARLES 9. PHILIP 2.

The Biſhop of *Captemberg*, in *Stiria*, deſired alſo that the Emperours Ambaſſadors ſhould retire, and inveighed much againſt the words of *Five Churches*, related by *Cava*. Many of the *Spaniſh* Prelates made the ſame inſtance to the Legats, that the Imperialiſts might not be preſent in the treaties of the Fathers during this conſultation, it being ſufficient for them to know, in the end, the reſolution of the Synod. But others contradicted; ſaying, that rather they then others ſhould be preſent, and that to exclude thoſe who have intereſt, hath never beene the cuſtome of Synods. The Legats, conſidering that they had beene preſent from the beginning, and that they could not be excluded without danger of tumult, reſolved to make no innovation.

The Biſhop of *Conimbria* was of opinion, that it ſhould be referred to the Pope, to grant the *Grace*, with five conditions. That thoſe that were to make uſe of it ſhould abjure all hereſies, and, in particular, ſhould ſweare that they beleeve, that as much is contained under one kind, as under both, and as much *grace* received; that they ſhould baniſh the heretike Preachers; that in their places they ſhould not keepe the Chalice, nor cary it to the ſicke; and that his Holineſſe ſhould not commit this to the *Ordinaries*, but ſend Legats, and that the reſolution ſhould not be made in Conncell. For when it ſhould be publiſhed, it would make the heretikes proud, and ſcandalize very many Catholiques; and therefore, in caſe this diſpenſation were to bee granted, it ought not to be put in the eyes of all nations. The Biſhop of *Modena* maintained that it could not be denied, becauſe, after the Councell of *Conſtance*, the Church having reſerved to it ſelfe power to diſpence, hath alwayes ſhewed, that ſometimes it would be expedient to doe it; that *Paul* the third had formerly ſent *Nuncij*, to releaſe it, becauſe he perceived that the prohibition had done no good in ſo many yeeres; that the Bohemians would never be reduced without it; that the uſe of the Cup was conformable to the inſtitution of CHRIST, and anciently obſerved by the Church.

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Friar *Jasper* of *Cassall*, Bishop of *Liria*, a man of an exemplary life, and learned, defended the same opinion. He said in summe, that he did not wonder at the diversity of opinions, because those who deny have the moderns to follow, and those who grant doe follow antiquity, the Councell of *Basil*, and *Paul* the third; that in this variety, he adhered to the affirmative, because the thing was good in its owne nature, and profitable, and expedient with the conditions proposed, and being addressed as a thing necessary to reduce soules, he that did desire the end, must needes use meanes; that the necessity of the meanes ought not to be doubted of, because the Emperour did affirme it, whom he did beleeve that God would not suffer to be deceived in so important a businesse, and the rather, because *Charles* was of the same opinion; and the demand of the Duke of *Bavaria* and of the French men did proove the same. And if any did doubt that the Secular Princes were not well informed in this cause, being Ecclesiasticall, he must needs beleeve the Bishop of *Five Churches*, and the two other Bishops of *Hungary*, who were in the Councell. And because it had beene said, that the Father was to be imitated, who received his prodigall sonne, but not before he repented, he said they ought rather to imitate the shepherd in the Gospel, who sought, with great diligence, in desart and mountainous places, the lost sheepe, and laying it on his necke, brought it to the sheepefold. The discourse of this Prelate, for the fame of his honesty and excellent learning, and because he was a *Portugall*, whom every one thought would have been most rigorous in maintaining the Rites used, did not only confirme those who were of his opinion, but made also very many of the opposites to waver.

The Bishop of *Osemo*, who spake after him, said; I doubt we must drinke this Cup, by all meanes, and God grant it may be with good successe. *Johannes Baptista Osius* defended, that this use ought not to be granted, because the Church hath never wont to grant the least thing according to the positions of the heretikes, yea alwayes to constitute the contrary. He shewed by that which happened amongst the Bohemians, who had alwayes been the most rebellious, that one ought not to promise himselfe any thing of the conversion of heretiques, but to make account he shall be deceived by them, and that it was necessary to make the Emperour understand, that this demand was not profitable for his State. He desired the Legats also, that they should not ground themselves upon those who had from the beginning spoken of referring it to the Pope, because they spake confusedly, and that the suffrages ought to be collected, as upon other occasions, by making every one answer Yea, or No, and to omit those artificiall wayes which some had beene forced to use to give satisfaction. He was followed by Friar *Johannes di Mannatones*, Bishop of *Sogorne*, who said, that first he was of opinion that the Grace ought not to be denied, but having heard the Bishop of *Riete*, was, by his conscience, forced to change, and defend the negative; that the Councell, which was Judge in this cause, ought to have regard that, yeelding unadvisedly to the Emperor, they doe not prejudice other Princes. Friar *Marcus Laureus*, Bishop of *Campania*, said, that the Emperour did heartily desire this grant, but that it would be sufficient for his Majesty for the gaining of his people,

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to make a ſhew onely, and therefore that it would be fit to give him an account of the difficulties, that he might juſtifie himſelfe with them. 1562.

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Petrus Daneſius, Biſhop of *Lavaur*, did not define whether it were fit to grant the Cup or not, but ſpake only againſt the opinion of referring it to the Pope. He ſaid in ſumme, that perhaps the Pope would be offended, becauſe having beene firſt requeſted himſelfe, and having, either for that he knew not how, or would not reſolve, referred it to the Councell, it is a manifeſt argument that he would not be pleaſed, if it were remitted to him againe with the ſame ambiguities; and the Councell which conſiſteth of many, may more eaſily beare the burthen of the importunities of thoſe who complaine for want of ſatisfaction, and require a remedy, then the Pope alone, who, to maintaine his dignity, muſt hold an eſteeme of many reſpects. Beſides, it will give occaſion of calumnies, that the Pope remitteth to the Councell, and the Councell to the Pope, to delude the world. Afterwards he came to Logicall termes, ſaying, that either it is referred to the Pope as ſuperiour, or as inferiour; that either the Councell, not daring to reſolve, in regard of the difficulties, doth remit it to a greater power, or, to free it ſelfe, doth referre it to an inferiour: but neither the one nor the other is fit to be done, before it be decided which power is ſuperior; becauſe every one will hence draw an argument for his opinion, and much occaſion will be given for diſputations and diviſion. He ſaid, with aſſeveration, that no wiſe Prelate ought to conſent to the reference, if he were not firſt aſſured in which of the two kindes it ought to be done; yea, that it was impoſſible it ſhould be done, but that the world would ſhew either the one or the other. The Papalins were impatient to heare this Prelate.

The Biſhop of *Five Churches* ſpake in thoſe Congregations, in his place, as a Prelate; and following immediatly after, with other new diſcourſes, he made them forget the former, and making a long digreſſion; perſwaded the grant of the Cup. Then he anſwered point by point, to all the oppoſitions. He ſaid there was no need to anſwere thoſe who would exclude him from the Congregations, becauſe their reaſons were as ſtrong againſt the Emperour himſelfe, if he had beene preſent; that he would not anſwere the dangers of effuſion, becauſe if they had beene remedileſſe, the Councell of *Conſtance*, would not have reſerved power to diſpence; that the diſcourſes of thoſe who perſwade the negative ſeem unto him weighty, and effectual, and able to draw him to that ſide, if he had not practiſe and experience in that buſineſſe, which hath more need of ſuch knowledge, then of Science and ſpeculative reaſons. To thoſe that ſaid, that the like grant did never any good in times paſt, he anſwered that it was quite contrary, becauſe, after the treaty of *Baſil*, many *Catholikes* were preſerved in *Bohemia*, who ſtill live in peace with the *Caliſtini*, and have lately received the new Arch B of *Prague*, by whom they cauſe their Prieſts to be ordained. To thoſe that feared to put new cogitations into other Nations, he anſwered, that thoſe would not be moved by ſuch an example, becauſe having in them no mixture of hereſie, and being deſirous to preſerve the purity of Religion, they would refuſe the Cup, though it were offered unto them; that the Germans the more it is denied them, the more they deſire it, but if it were granted them, they might be

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be diverted from that uſe; the feare that when they had obtained this, they would paſſe to other demands was too ſuſpicious, and if they would, they might alwaies be denied; that it could not be called a novity, becauſe it had been granted by the Councell of *Baſil*, and by *Paul* the third; whoſe miniſters, had they been more couragious, and not retired from that diſpenſation for ſmall terrors, becauſe ſome impertinent Friars preached againſt them, would have done more good; that he was much offended with the reaſon alledged by ſome, that as no man could be received with condition that fornication ſhould be permitted unto him, no more can theſe people, who would be reconciled, ſo that they may have the uſe of the Cup. For the firſt condition is abſolutely bad, and this only as it is prohibited. He anſwered the Biſhop of *Sogorne*, that the Emperour did not contend with any Prince, nor ſought prejudices againſt others, and deſired the Cup for his people by Grace, and not by way of Juſtice. But upon thoſe who ſaid the care hereof ought not to be committed to the Ordinaries, but that Delegates were to bee ſent from the Apoſtolique Sea, he jeſted ſomewhat ſharpely; asking whether he that had the charge of their ſoules, and all the Spirituall governement might not be truſted with a thing indifferent, or whether they thought that this thing did exceed the Epiſcopall governement. He ſaid that to referre it to the Pope was to give him new and continuall moleſtations. To *Philadelphia* he anſwered, that the Catholiques would not onely not be troubled, but conſolated, becauſe they might live united with thoſe, with whom they are now much troubled. To them who would have Proctors ſent expreſly, he ſaid, it was no marvell that none came to demand this Grace, becauſe the Emperour had undertaken to demand it for them, who could make an infinit number of them to come if the Fathers would. But as the Councell was carefull not to make the Safe-conduct too large, that ſo many Proteſtants might not come as put them in feare, ſo they ought to have the ſame reſpect herein, becauſe more would come to obtaine this grant. His concluſion was, that they would have compaſſion on their Churches, and hold an eſteeme of the demand of ſo great a Prince, who, out of his deſire of the union of the Church, doth never ſpeake of this buſineſſe without teares. In the end, he ſhewed griefe for the paſsion of many Prelates, who, for a vaine feare of ſeeing a change in their owne Countreys, were content with the loſſe of others. In particular he complained of the Biſhop of *Rieti*, who held the Emperour for a Prince ignorant in governement, not knowing what was good for his States, which he ſaid his moſt Reverend Lordſhip, accuſtomed to ſerve at the Cardinals tables in *Rome*, could not teach him. Finally, he ſaid, that many other things did remaine to bee anſwered, which were ſpoken as to challenge him to a *Duell*; but hee thought it better to beare them, and paſſe them over with patience. Hee repeated that which he had ſaid before; that is, that if the Cup were not graunted, it had beene better that the Councell had never beene called: which he expounded thus, that much people remained in obedience to the Pope, hoping that this Grace would in the Councell bee granted unto them, who would wholly aliene themſelves when they ſaw they were defrauded.

Andreas di Cueſta, Biſhop of *Lion* in *Spaine*, ſaid, that the good intention of the Emperor and Duke of *Bavaria* could not be doubted of, nor diſputed whether the Councell might give ſuch a permiſſion, but that it was only to be conſidered what was expedient. His opinion was that the ancient fathers, and continuall uſe of the Church, never to yeeld to the petitions of the *heretikes*, was to be imitated. It appeared by the practiſe of the *Nicen* Councell, that, howſoever the world went topſie turvie, they would never grant any thing unto them, and the Doctors abſtained from words uſed by the *heretikes*, though they had a good ſence; that they would never have been pleaſed with this grant; that the *Catholikes* would take it ill, that for an uncertaine hope of reducing a few *heretikes*, many *Catholikes* would be loſt; that becauſe the Biſhops of *Germany* did not make the demand, it was a great argument that it proceeded not from devotion, comming from a people who give no ſigne of any ſpirituality; that he could not underſtand how they were penitent, and would returne to the Church, beleeving it was governed by the holy Ghoſt, and yet be obſtinate not to doe it without this favour; that this obſtinacy ſheweth, that they have not the formall reaſon of faith; that if the Councell of *Baſil* did formerly grant this to the *Bohemians*, it was becauſe they did abſolutely refer themſelves to the Church, which, afterwards, in kindneſſe, did grant it; that it ought not to be called a true remedy which is not neceſſary, by the nature of the thing, but by the malice of men, that the Synode ought not to nouriſh nor cheriſh them; that the example of CHRIST, in ſeeking the wandring ſheepe, is ſufficiently imitated, when they are called, invited, and prayed; that if this favour muſt bee granted, it were better to bee done by the Pope, who may revoke it if the conditions bee not performed, that the Councell granting it, if the Pope would afterwards recall it, they will pretend he cannot doe it, and that his authority is not above the Councell; that the *heretikes* doe ever proceed with falſhoods and deceits. 1562. PIVS 4. FERDINAND. ELIZABETH. CHARLES 9 PHILIP 2.

Antonius Coronicius, Biſhop of *Almeria*, ſaid, that he was confirmed in the negative by the reaſon uſed by the defenders of the affirmative; and howſoever God giveth many helpes to the impenitent, as preaching, miracles, and good inſpirations, yet he giveth the Sacraments to the penitent onely, that if they would bee moved with charity, they ſhould be more carefull to preſerve the *Catholikes* then reduce the *heretikes*; that the Councell of *Conſtance* ought to be imitated, which to maintaine the good children of the Church, prohibited the Communion of the Chalice, taught by *Iohn Huſſe*; that now they ought ſo to deale with the Lutherans; that this grant would open a gate to infinite miſchiefes; that they would demand marriage of Prieſts, abrogation of images, of faſts, and of other godly conſtitutions, alwayes propoſing their demands as the only and neceſſary remedies to unite them to the Church; that every little change of the Law doth breede great dammage, eſpecially if it be made in favour of *heretikes*; that he would not give counſell that the Pope ſhould doe it, though he might doe it better; that the people would bee leſſe offended then if the grant were made by the Councell, howſoever it ought to be confeſſed that the ſupreame authority is in the Pope; that in caſe he ſhould grant it, it ought not to be com-

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mitted to the Biſhops though knowne to be worthy for ſome time, becauſe they may become bad, & of a perverſe faith, moved by their private intereſts. *Franciſcus di Gado*, Biſhop of *Lugo* in *Spaine*, made a long exhortation to the Fathers, that, to avoyde difficulties, or to give ſatisfaction to Prince or people, they would not derogate from the reputation and dignity of generall Councels, whoſe authority, having ever been eſteemed in the Church, as every one knoweth, and that having maintained the faith, was not to be contemned now, for reſpects and intereſts. He alleadged many places of Saint *Auſtin*, for authority of generall Councels, and much extolled the authority of them; and howſoever he never deſcended to compare it with the Popes, yet every one underſtood that he made it the ſuperiour. And *Jeroſamus Guerini*, Biſhop of *Imola*, uſing the like conceits and words, extolled alſo the authority of Provinciall Councels, to confirme his opinion of not granting the Cup, and ſaid, that their authority ought to be eſteemed obligatory, untill the contrary was determined by a generall Councel; alleadging Saint *Auſtin* for it. In heat of ſpeaking, he came out with theſe words, that the generall Councell had no ſuperiour; But perceiving afterwards that the *Papalins* (of which number himſelfe was) were offended, ſought to moderate it, by repeating the ſame things, and adding an exception of the Popes authority. By which meanes he ſatisfied neither party; but the greater number did excuſe him, and attribute it to inconſideration, becauſe, in the former congregations, he had, upon divers occaſions, confuted thoſe who alleadged the Councell of *Baſil*. Notwithſtanding Cardinall *Simoneta*, howſoever he imployed him to make ſuch oppoſitions, did not forbeare to expound it in a bad ſence, and to charge him that he was tranſported by affection, becauſe the Bulls of his Biſhopricke were not diſpatched upon free coſt, as he would have had them.

The laſt congregation concerning this point was held the fift of September: and, amongſt others, *Richard* of *Verſelli*, a *Prevalentian Abbat*, and a Regular Canon in *Geneva*, maintaining the negative, ſaid, that this matter was diſputed many dayes in the Councell of *Baſil*, which diſputation remaineth ſtill, collected by Friar *John*, of *Raguſi*, Proctor of the *Dominicans*, and, in concluſion, the Cup was abſolutely denied to the *Bohemians*: ſo that no other, determination can now be made, without declaring to the world that the Church did then erre, in a generall Councell. He was reprehended by the Biſhop of *Imola* (to ſalve his owne ſore) for giving authority to that ſchiſmaticall Councell, and noted of great boldneſſe, that thoſe who ſimply alleadged the Councell of *Baſil* having beene often reproved, he ſhould not only cite it, but give it the authority of a generall Councell. The Father replied that he alwayes marvailed, and then more then ever, howany one could ſpeake ſo of that Councell, conſidering that the fourteen Articles decreed in the matter of the Chalice the laſt Seſſion were wholly taken out of it, and that he knew not how a Decree could more be approved, then by renewing of it not only in ſence, but in words alſo. And waxing warme herewith, he ſaid, that, in regard of the Decree of that Councell, the demand of the Cup ſavoured of hereſie, and mortall ſinne. Whereupon a buzzing was raiſed among the Prelates, and he deſiring to proceed was ſilenced by

The authority of the Councell of *Baſil*.

by the Cardinall of *Mantua*, so that stopping himselfe he asked a pardon speaking a few words, concluded. 1562.

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Not to speake any more of this Father, I will adde here, that hee was noted to have been at the French Ambassadours house, the sixteenth of August, early in the morning, to demand whether their Bishops would come, and to exhort that they might be solicited to come quickely. And in the Congregation, in which the sacrifice was handled, he proposed the doubt whether the authority of the Pope be above the Councell; adding, that when it should be discussed, hee would speake freely. These things being put together, and duely weighed, the Legats did not thinke fit that the French-men should finde at their comming such a humour in *Trent*, and thought to make his Generall recall him, for businesse of the Congregation, and so to remoove him honestly. But there was no neede; for the poore Father fell sicke a little after with griefe of minde, and the twenty sixth of November died. In that Congregation Friar *John Baptista*, Generall of the *Servi*, maintaining the negative also, to overthrow the ground of the opposites, spake at large concerning the Councell of *Constance*, which first decreed that matter, and commended the authority thereof; exalting it above other generall Councels, and saying that it had deposed three Popes. This did not please; but was passed over, because they would not thrust many matters together.

Richard of Versalli dieth with griefe.

The Generall of the Servi extoll the Councell of Constance.

The giving of voyces being ended, the Legats were desirous to give the Emperor satisfaction, but could not, because the party of the negative prevailed: they resolved therefore to labour that it might be referred to the Pope, hoping that, by perswasions, some of the negative might be drawn into that middle opinion. And they gave commission to *Jacobus Lomelinus*, B. of *Mazara*, and to the Bishop of *Ventimiglia*, to imploy themselves herein, with dexterity and circumspection. The Legats themselves spake with the three Patriarches, and perswaded them; by whose meanes all the Prelates and Fathers of the Venetian State were pacified, which was a considerable number. Having gained as many as seemed sufficient, they beleeved they had overcome the difficulty. They brought the matter to this point, to write a letter to the Pope in the ordinary forme, and to send a note of all the voices. But the Bishop of *Five Churches* did not approve it, except a Decree of the Session did appeare. For these two Articles having been reserved in the last Session, to be handled in this, and they now being handled, and resolved, it is necessary that the resolution of the Session should appeare in the Acts. *Varmiense* shewed him how hard and dangerous it was to propose the Decree, and that he ought to be content with the letter, if he desired to obtaine. The Bishop not being pacified herewith, they resolved to make a Decree, to be read in the Session; in which hee desired it should bee said, That the Synode, knowing it is expedient to grant the use of the Cup, did referre unto the Pope to grant it, to whom, and upon what conditions hee pleased. The Legats shewed him that many who were for the remission, did doubt whether it were expedient, and therefore would oppose the Decree, so that it was impossible to cause any such declaration to be made; and that, if he were firme in his opinion, it were better to let a weeke passe,

The Cup is denied by plurality of voyces

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that this great heat might be cooled. The Bishop of *Five Churches* was content; and so, this point being deferred, they purposed to establish the Decree of the Sacrifice, that this being joyned with it, they might make the proposition for the Communion. *Varmiense* did oppose, who being perswaded by the *Jesuites*, *Laynez*, *Salmeron* and *Torre*, did propose another forme of Decree for the Sacrifice in matter of the oblation of CHRIST in the *Supper*, and they had much adoe to make him desist. Finally, being almost out of hope to be ready to hold the Session at the time appointed, the Decree of the Sacrifice was established in the Congregation of the seventh day by consent of the major part, howsoever *Granata* laboured to interpose impediments and delayes.

After this, tenne Articles for reformation of the abuses, occurring in the *Masse*, were proposed, and eleven more in divers other points of reformation, which were purposely chosen of easie matters, not subject to contradiction, and favourable to the authority of Bishops; that their proceeding might not be hindered by the opposition of any; which was well knowne to the Ambassadours and Prelates who complained of it. These began to be handled the ninth of September, and the Prelates delivered their opinions briefly, fourty in a Congregation. There was no remarkeable opposition, onely *Philadelphia* said, that *Germany* expected that matters of weight and importance should be handled in Councell. He named divers, and, amongst others, the creation of Cardinals, and plurality of Benefices. *Joannes Zuares*, Bishop of *Conimbria*, said, that small matters were not to be neglected, but thought that the dignity of the Synode did require that some speciall order should be followed, that it may appeare why these particulars are proposed before others; that the reformation ought to begin from the Head, and passe to the Cardinals; from the Cardinals to the Bishops; and from them to other degrees, otherwise he feared that the Catholikes would be offended, and the Protestants laugh. *Taras* said, that, for these hundred and fifty yeeres, the world hath demanded a reformation in the Head, and the members, and hitherto hath beene deceived; that now it was time they should labour in earnest, and not by dissimulation, that he desired the French men should be heard for the necessities of that Kingdome; that in *France* a farre more profitable reformation was made, then that which was proposed in Councell. The Bishop of *Segovia* said, they did imitate an unlawfull Physician, who gave a lenitive, or anointed with oyle, in mortall diseases. The Bishop of *Oreate* said, that the Pope ought not to grant so great faculty to the *Cruzado*, and the *Fabrique* of Saint *Peter*, by vertue of which, every one in *Spaine* will have *Masses* in his house, which if it be not moderated, the provisions of the Councell will be in vaine; that it was necessary to declare that the Decrees of the generall Councell doe binde the Head also. Whereat buzzing being raised, hee made a signe they should be silent, and added, that he meant in respect of the direction, and not of coaction. He proceeded, and said that it was necessary to finde a meanes to take away contentions, and suits, or, at the least, to make them fewer and shorter, in causes of Benefices; that this caused great expences, hindred the worship of God, and scandalized the people. The Bishop of *Five Churches* spake concerning the

The Councell is taxed by divers Prelats, for omitting the chiefe points of Reformation.

point

point of conferring Bishoprickes, expounding the words he had said, that base and unworthy persons were promoted, and declaring that the abuse proceeded from Princes, who did importunately recommend them to the Pope, saying they would be better bestowed upon the horse-keepers of his Holinesse. And he complained that his words had been ill expounded. 1562. PIVS 4. FERDINAND. ELIZABETH CHARLES 9. PHILIP 2.

The Spanish Agent complained in the Kings name, that in the eight Article too much authority was given to Bishops over *Hospitals*, *Mountaines* of piety, and such places; and particularly in *Sicilia*, against the priviledge which that Kingdome anciently hath; for whose satisfaction the Legats caused a clause to bee added for reservation of the places which are immediately under the protection of the King. These things being ended, the Legates were in a strait, because there were but three dayes to the Session, and many things unresolved, especially that which was of greatest importance, in which every one was carried with a strong affection, that is the communion of the Cup. But one accident made them to prolong the time. For the French Ambassadour in *Rome*, having earnestly desired the Pope in the Kings name, to cause a delay untill the comming of his Prelates, his Holinesse, though nothing could more displease him then the prolonging of the Councell, aswell in regard of his owne inclination, as of the Cardinals and Court, who were in hope, and much desired to see it ended in December, notwithstanding, to conceale his feares, did answere, that it was all one to him, and that it did depend on the Prelates, who if they did abhorre every delay, it was no marvell, in regard of their long and incommodious abiding there, saying that they ought to be respected, and that he neither could nor would compell them, or impose a law upon them, contrary to the ancient use; that he would write to the Legats, concerning this instance, & shew he was contented with the dilation; that this is all that can be required of him, and enough to satisfie the King. Thus he wrote, adding that they should make use of this permission, as it should seeme most reasonable to the Fathers. This letter, and the backwardnesse in their businesse, and that which was written by *Delphinus*, *Nuncio* with the Emperour, and the instance of the Emperours Ambassadours, that the Decree of the *Masse*, might not be published, made some of the Legats incline to deferre the Session. But *Simoneta*, who understood the Popes minde, rather as it was in his head, then as it was expressed in the letter, opposed so strongly, that the contrary was resolved. And he sent advice to *Rome* how dangerous a thing it was to change the absolute commands formerly given, to come quickly to the conclusion of the Councell, only to give verball satisfaction to others, encoraging those who had bad intentions to crosse good resolutions, and laying burthens upon them to make them odious, to lose reputation and to make them unfit to doe the service of his Holinesse. *Simoneta* was favoured by the event. For, there being no opposition of moment, the Article of the abuses of the *Masse* was established, together with the eleventh of reformation, and the Decree of the Communion had lesse difficulty than was beleeved. It did not passe at the first proposing, because it said, that the Pope, by consent and approbation of the Councell, should do what he thought good. This was impugned by those who held the negative, and

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the remiſſive part; which made the Legats reſolve to omit this matter wholly, and excuſed themſelves to the Imperialiſts, becauſe the fault did not proceed either from the Pope, or from them. The Ambaſſadors deſired that it ſhould be propoſed without the clauſe of conſent and approbation; which the Legats thinking would cauſe a delay of the Seſſion, did refuſe. The Ambaſſadours proteſted, that ſeeing no ſmall eſteeme was held of the Emperour, they would aſſiſt no more either in Congregation or in Seſſion, untill his Majeſty adviſed hereof, had given thoſe orders that befitted the Imperiall dignity. Hereupon the Legats were content, not onely to propoſe it againe without the clauſe, but to uſe perſwaſions themſelves, alſo, and to employ others. And the day following, which was the next day before the Seſſion, the Decree, corrected, did paſſe by the major part (though contradicted by all of the negative) to the great joy of the Legats and Papalins, aſwell becauſe the Seſſion was not prolonged, which they greatly feared, as alſo becauſe they thought it more honour for the Pope, that the *grace* ſhould totally depend on his authority. The Ambaſſadors were well ſatisfied with this particular; but perceiving that the Seſſion would be in order, and that the publication of the ſacrifice of the *Maſſe* could not be hindered, as they had deſired in the Emperours name, they joyned with the Frenchmen, who were mal-content, becauſe the requeſt which their King had made in *Rome* was denied. Therefore the ſame day, in the afternoone, all the Ambaſſadours met in the houſe of the Imperialiſts, ſaying they would conſult of a thing common to all Princes. The Venetians and Florentine, being called, excuſed themſelves, ſaying they could not come, without expreſſe commiſſion from their Maſters. In that Aſſembly, the Biſhop of *Five Churches* made a long diſcourſe, to ſhew, that hitherto nothing of worth had been handled in the Councell; that they had vainly diſputed of points of doctrine, which did the heretikes no good, who were reſolved not to change their opinion, nor the Catholiques, who are ſufficiently perſwaded already, that, for reformation, nothing hath beene propoſed but things of no moment, of Notaries, Receivers, and ſuch like; that it did plainely appeare, that the Legates would make the next Seſſion according to the ſame ſtile, and afterwards ſpend the time in diſputes, deciding of Doctrines, making Canons, of *Order*, *Marriage*, or ſome other ſleight matter, to avoyd, as they have done the ſubſtantiall points of reformation. And, by theſe and other reaſons, well amplified, he perſwaded the Ambaſſadours to joyne together, and to go to the Legats, and deſire that for that Seſſion they would omit to ſpeak of the Sacraments, of doctrines, or Canons, becauſe it was now time to think upon a good reformation to take away ſo great abuſes, to correct bad manners, and to labour that the Councell may not be unfruitfull. The Spaniſh Secretary would not aſſent. For his King, deſiring that the *continuation* ſhould be declared in the end of the Councell, feared he ſhould prejudice himſelfe, if the manner of proceeding, which was to handle the doctrine and reformation together, ſhould be changed, becauſe that alteration might be uſed for an argument that it was a new Councell. The Ambaſſadour of *Portugal*, having made a long unconcluding ſpeech, to ſhew he deſired a reformation, but upon more pleaſing termes, retired from the company. The Suiſſe, ſeeing the examples

The grant of the Cup is referred the Pope.

A generall conſultation of the Ambaſſadors.

examples of those two, and that the Venetians were not present, fearing to commit an error, said, it were good to consider of it again, before they resolved. All the others were resolute to go. 1562.

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Who choose *Lansac* to speak for them.

Lansac (by consent) spake for them all; saying, They were sent by their Princes to assist and favor the Councell, and to procure that the proceeding should be pertinent, not by disputing of doctrine, whereof none of them, being Catholikes, doe doubt, and is superfluous, in absence of those who doe impugne it, but by making a good, holy, and absolute reformation of manners. Now, because, notwithstanding all their remonstrances, they saw they would determine principall points of controversed doctrine; and touch the reformation but sleightly, he prayed them to change their purpose, and to employ the next Session in reformation only, proposing more important and necessary Arguments than those whereof hitherto they had spoken. The Legats answered in the usuall forme; That the desire of the Pope and theirs was to doe the service of God, procure the good of the Church, and satisfie and gratifie all Princes; but yet that it was not convenient to breake the order alwayes observed in the Councell to handle doctrine and reformation together; that the things already done were but a beginning; that they had a good intention to doe better; that they would most readily receive the Articles which the Ambassadours would propose; that they marvelled that the Articles determined at *Poisi* in *France* were not sent to the Pope, who would have approved them. *Lansac* replied, that the Pope having referred all matters concerning Religion to the Councell, the French Prelates, when they came, would propose both those and many other things. The Legats answered they should be welcome, and willingly heard; but that they ought not for that cause to deferre the Session, in regard that nothing should be handled in it in prejudice of their propositions; that most of the Fathers were resoved the Session should bee held; that it was dangerous to give them distaste, and that if they expected in *Trent*, with great discommodity; those who lived at their ease, and deferred their comming which they promised, it was not fit to discontent them more, by making them remaine idle. This cunning perswasion being not strongly opposed by the Ambassadors, they held the Congregation, and framed the Decrees; which being established, when they they came to appoint the time and the matter for the next Session, *Granata* councelled them to prolong the time, that the French-men, and Polonians might have space, not only to come, but to informe themselves, and that they would not proceed to a precise declaration of that which was to be handled, but stand upon the generall, as formerly they had done, and resolve according to occurrences. For so many persons being to come, it could not be but that they would bring some new matters, which might cause new determinations. This opinion was followed by the Spaniards, and many others, and was like to have beene generally approved. But it being noysed, that the Popes absolute commandement was come, that the Session should not be deferred above two moneths, and that the Sacraments of *Order* and *Marriage* should be handled together, the Papalins were induced to perswade that the time might not be prolonged, and that both those Sacraments might be discussed. The Legats shewed they were forced

The answer of the Legats.

to

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to make the Decree in conformity hereof. But there were two other true cauſes of it; the one the quicke diſpatch of the Councell, becauſe they hoped, by ſo doing, to finiſh all in that Seſſion alone; the other, that the Spaniards and other favourers of the reformation, might not have time, being buſied in matters of faith, to handle any thing of importance; and particularly that they might be hindered to promote, or inſiſt upon Reſidence. After that this point was eſtabliſhed, all the Decrees being read together, new contradictions were raiſed, beſides the uſuall contentions, which the Legats could hardly ſtoppe with faire words. The Congregation laſted untill two houres within night, with ſmall ſatisfaction of the parties, and ſcandall of honeſt men. In the end all was reſolved; but by the greater part only, which did not much exceed in number thoſe who contradicted.

The Seſſion.

The ſeventeeuth of September, the day appointed for the Seſſion, being come, the Legats Ambaſſadors, and 180 Prelates went to the Church, with the uſuall ceremonies; and after prayers made in time of the *Maſſe*, the Biſhop of *Ventimiglia* preached: who, with an Epiſcopall and Senatorious gravity, uſing the compariſon between civill bodies and naturall, ſhewed how monſtrous a Synod would be, if it had no head; he ſhewed the office of it, in making an influence of vertues into all the members, and the thankfulneſſe and duty of theſe, in having more care of it, then of themſelves, expoſing themſelves alſo to the defence of it; he ſaid that the chiefe fault of an heretike, according to Saint *Paul*, was, that he doth not acknowledge an head, on which the connexion of the whole body doth depend; he added, in few words, that CHRIST was the inviſible Head of the Church, but in many, that the Pope was the viſible. He commended the exact diligence of his Holineſſe, in making proviſion for the Synod, and put every one in mind of his duty in preſenting the dignity of his Head: He praiſed the piety and modeſty of the Fathers; prayed GOD that that Councell might proceed, and end as glorioufly as it had begun.

The letters of Cardinall *Amulius* concerning the Orientall Chriſtians.

The *Maſſe* being ended, the letters of Cardinall *Amulius* were read, who, as Protector of the Orientall Chriſtian Nations, informed the Synod that *Abdiſu*, Patriarch of *Muzale*, in *Aſſyria*, beyond *Euphrates*, was come to *Rome*, who had viſited the Churches, rendred obedience to the Pope, and received the confirmation, and Cope from his Holineſſe. He related that the people ſubject unto him had received the faith, from the Apoſtles, *Thomas* and *Thaddeus*, and one of their Diſciples called *Marcus*, wholly conformable to the *Roman*, with the ſame Sacraments and Rites, whereof they had Bookes written ever ſince the time of the Apoſtles. In the end, he told the largeneſſe of the Countrey, ſubject to that Prelate, which extendeth it ſelfe unto the further *India*, with innumerable people, ſubject, partly to the *Turke*, partly to the *Sophi* of *Perſia*, and to the King of *Portugall*. The letter being read, the Ambaſſadour of *Portugall* proteſted, that the Eaſterne Biſhops ſubject to his King, did not acknowledge any Patriarch for their Superiour, and ſaid that by acknowledging of this Patriarch, they might doe themſelves and the King a prejudice. Afterwards the *Confeſſion* of his faith, made in *Rome* the 17 of March, was read, in which he ſwore to maintaine the faith of the holy Church of *Rome*, promiſing to approove and condemne that which it did

Are confuted by the *Portugall* Ambaſſadour.

approove

approove and condemne, and to teach the ſame to the *Metropolitans* and Biſhops ſubject unto him. Afterwards his letters, directed to the Synod, were read, in which he excuſed his not comming to the Councel, by reaſon of the length of the journey, and prayed them, that when it was ended, the Decrees thereof might be ſent unto him, which he promiſed he would cauſe to be fully obſerved. The ſame things had been read in the firſt Congregation, but not regarded. The Portugals proteſtation made men conſider divers abſurdities in that narration, and there was a whiſpering, and the Portugall Prelates began to ſpeake. But the Speaker, by order of the Legats, told them, that this ſhould be ſpoken of in the Congregation. 1562 Pius 4 Ferdinand. Elizabeth. Charles. 9 Philip 2.

The doctrine of the *Maſſe*.

And proceeding in the acts of the Councell, the Maſſe-Biſhop read the doctrine of the ſacrifice of the *Maſſe*, divided into nine heads; which contained in ſumme. 1. That, for the imperfection of the Leviticall Prieſthood, another Prieſt, according to the order of *Melchizedec*, was neceſſary; which was Christ our Lord: who, although he offered himſelfe but once upon the *Croſſe*, to leave in the Church a viſible Sacrifice, repreſenting that of the *Croſſe*, and applying the vertue thereof, declaring himſelfe to be a Prieſt after the order of *Melchizedec*, offered to God the Father his body and blood, under the Bread and Wine, and gave them to his Apoſtles, commanding them and their ſucceſſors to offer them. And this is that pure offering foretolde by *Malachie*, which Saint *Paul* calleth the Table of the Lord, and was figured by divers Sacrifices, in the time of Nature, and of the Law. 2. Becauſe the ſame Christ is ſacrificed in the *Maſſe* without blood, who was ſacrificed on the *Croſſe* with blood, this ſacrifice is propitiatory, and God, appeaſed with this offering, beſtoweth the gift of repentance, and remitteth all ſinnes, the offering, and (by the Prieſts) the offerer being the ſame, who formerly offered himſelfe upon the *Croſſe*, only in a divers manner; ſo that this of the *Maſſe* doth not derogate from that of the *Croſſe*, yea, by this, the fruits of that are received, which is offered for the ſinnes, puniſhments, and neceſſities of the faithfull, and alſo for the dead, not fully purged. 3. And though ſome *Maſſes* be celebrated in memory of the Saints, the ſacrifice is not offered to them, but to God only. 4. And, to offer him with reverence, the Church hath, for many ages, inſtituted the Canon, free from all errour, compoſed out of the words of the Lord, tradition of the Apoſtles, and conſtitutions of Popes. 5. And, for the edification of the faithfull, the Church hath inſtituted certaine Rites to pronounce in the Maſſe, ſome things with a low, and ſome with a loud voyce, adding benedictions, lights, odours, and veſtments by Apoſtolicall tradition. 6. And the Synode doth not condemne as private and unlawfull, but doth approove thoſe *Maſſes*, in which the Prieſt doth communicate alone (which uſe is common) in regard the people doth communicate Spiritually, and that they are celebrated by a publique Miniſter, and for all the faithfull. 7. And the Church hath commanded to put water into the Wine, becauſe Christ hath done ſo, and from his ſide did iſſue water and blood together, by which the union of the people, ſignified by the water, with Christ their head is repreſented. 8. And howſoever the people doe not receive much inſtruction by the *Maſſe*, yet the Fathers have not thought it fit that it ſhould be celebrated in the

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the vulgar. Therefore retaining the use of the Roman Church, that the people may not be deceived, the Priests ought to expound something which is read in it, especially upon Holy dayes. 9. And to condemne the errours which are spread against this doctrine, it doth adde nine Canons.

The Canons of the *Masse*.

1. Anathematizing him that shall say, that a true and proper sacrifice is not offered to GOD in the *Masse*. 2. Or that shall say that CHRIST, by these words; *Doe this in remembrance of me*, hath not instituted Priests, and commanded them to offer. 3. Or shall say, that the *Masse* is a sacrifice onely of praise, or thankesgiving, or a bare commemoration of the sacrifice of the *Crosse*, and not propitiatory, and that it doth helpe only him that doth receive it, and ought not to be offered for the living and the dead, for sinnes, punishments, satisfactions, and other necessities. 4. Or shall say, that the sacrifice of the *Masse* doth derogate from that of the *Crosse*. 5. Or that it is a deceit to celebrate *Masses* in honour of Saints. 6. Or that errors are contained in the Canon of the *Masse*. 7. Or that the ceremonies, vestments, or externall signes used in the *Masse*, are rather incitements to ungodlinesse, then offices of piety. 8. Or that the *Masses*, in which the Priest alone doth communicate, are unlawfull. 9. Or shall condemne the Rite of the Church of *Rome*, to speake part of the Canon and the words of consecration with a low voyce; or that the *Masse* ought to be celebrated in the vulgar, or that water ought not to be mingled with the Wine.

A decree concerning the abuses of the *Masse*.

The Fathers assented to the Decree, except only to that particular, that CHRIST did offer himselfe, which three and twenty Bishops did contradict: and some others said, that, how soever they held it to be true, yet they thought not either the time or place fit to decree it. And there was some confusion in delivering their voyces, because many spake at once. The Arch-bishop of *Granata* began to dissent, who, having contradicted in the Congregations, that he might not have occasion to doe the same in Session, determined to be absent. But the Legats seeing him not at *Masse*, sent to call him more then once, and constrained him to come; which did more excite him to contradict. Immediatly after another Decree was read for instruction of Bishops, concerning abuses to be corrected in celebration of the *Masses*: And contained in substance; That the Bishops ought to forbid all things brought in by avarice, irreverence, or superstition. It named particularly, for faults of avarice, bargaines for reward, that which is given for new *Masses*, importunate exaction of almes: of irreverence, the admitting to say *Masse* of vagabond Priests, knowne, and publique and notorious sinners, *Masses* in private houses, and every where else out of the Churches and Oratories, if the assistants be not in an honest habit, the use of Musicke in Churches, mixed with lascivious songs, all secular actions, profane speeches, noises, and screeches; of superstition, to celebrate out of due houres, with other ceremonies and prayers then those which are allowed by the Church, and received by use, a determinate number of some *Masses*, and of candles. It ordained also, that the people should be admonished to goe to their Parish Churches, at the least on Sundayes and great Holy-dayes, declaring that the things aforesaid are proposed to the Prelates, that they may prohibite and correct as Delegats of the Apostolike Sea, not only those, but all that are like unto them.

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The Decree of reformation contained 11 Heads. 1. That all the Decrees of the Popes and Councels, concerning the life and converſation of the Clergie, be obſerved hereafter; under the ſame and greater puniſhments, at the pleaſure of the Ordinary, and thoſe revived which are antiquated. 2. That none be promoted to a Biſhopricke, but he, who, beſides the qualities required by the holy Canons, hath beene ſixe moneths in holy *Orders* and if there be not notice of all the neceſſary qualities in Court, information may be taken from the *Nuncij*, from his *Ordinary* or neighbour *Ordinaries*; who ought to be a *Doctor*, *Maſter*, or *Licentiate* in Theologie, or the Canon Law, or declared to be able to teach, by publike teſtimony of an Univerſity; and the Regulars ſhall have the like teſtimonies from the Superiors of their religion; and the proceſſes and teſtifications ſhall be freely given. 3. That the Biſhops may convert the third part of the revenues of Cathedrall or Collegiate Churches into daily diſtributions, which notwithſtanding thoſe ſhall not loſe, who, not having juriſdiction or other office, doe reſide in their Pariſh Church or Church united, being out of the City. 4. That none ſhall have voyce in Chapter, but he that is a *Subdeacon*; and he that ſhall hereafter obtaine a Benefice to which any charge is annexed, ſhall be bound to receive *Orders*, within one yeere, that he may execute it. 5. That commiſſions of diſpenſations out of the Court of *Rome* ſhall be addreſſed to the *Ordinaries*, and thoſe that are for *Grace*, ſhall not take effect, untill it be knowne by the Biſhops, as Delegates, that they have beene juſtly gotten. 6. That commutations of Wills be not executed, untill the Biſhops as Delegates, do know that they have beene obtained by expreſſion of the truth. 7. That ſuperiour Judges, in admitting appeales, and granting inhibitions, ſhall obſerve the conſtitution of *Innocentius* 4. in the Chapter *Romana*. 8. That the Biſhops, as Delegats, ſhall be executors of pious diſpoſitions, as well teſtamentary, as of the living, ſhall viſit Hoſpitals, Colledges, and *fraternities* of Laiques, even thoſe which are called *Schools*, or by what other name ſoever, except thoſe which are under the immediate protection of Kings; ſhall viſite the almes of the *Mountaines* of piety, and all other places of piety, though under the charge of Lay-men, and ſhall have the knowledge and execution of whatſoever belongeth to the ſervice of God, ſalvation of ſoules, and ſuſtentation of the poore. 9. That the adminiſtrators of the Fabrique of any Church whatſoever, Hoſpitall, Confraternity, almes of any *Mountaine* of piety, or any other pious place, ſhall be bound to give an account every yeere to the Biſhops, and, in caſe they be obliged to make an account to others, the Biſhop ſhall be joyned with them, without whom they ſhall not have any diſcharge. 10. That the Biſhops ſhall examine the Notaries, and forbid them the uſe of their office in ſpirituall matters. 11. That whoſoever ſhall uſurpe the goods, rights, or emoluments of Churches, Benefices, *Mountaines* of piety, or other pious places, whether hee be Clerke, or Laique, King or Emperour, ſhall remaine excommunicate, untill a full reſtitution or abſolution of the Pope; and, if hee be Patron, he ſhall be deprived of the right of Patronage, and the Clerke conſenting ſhall be ſubject to the ſame puniſhment, deprived of all Benefices and uncapable of any more.

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Afterwards the Decree for the grant of the Cup was read; of this tenor. That the Synod having reserved to it selfe the examination and definition of two Articles, concerning the communion of the Cup, in the former Session, hath now determined to deferte the whole businesse to the Pope, who, in his singular wisedome, may do what he thinketh profitable for the Christian Common-wealth, and for the good of those who demand it. This Decree, as it was approved in the Congregations by the major part only, so it happened in the Session, where, beside those who contradicted, because they thought the Cup could not be granted for any cause; there were some who required that the matter should be deferred, and examined againe. To whom the *Speaker* answered, in the name of the Legats, that consideration should be had of it. And finally the next Session was intimated for the twelfth of November, to determine concerning the Sacraments of Order and Matrimony. And the Synod was dismissed, after the usuall manner, great discourses betweene the Fathers about the Communion of the Cup continuing still. Concerning which, some perhaps will be curious to know, for what cause the Decree, last recited, was not put after that of the *Masse*, as the matter seemeth to require, but in a place where it hath no connexion or likenesse with the Articles preceding. He may know that there was a generall *maxime* in that Councell, that to establish a decree of reformation a *major* part of voices was sufficient, but that a Decree of faith could not be made, if a considerable part did contradict. Therefore the Legats knowing that hardly more then halfe would consent to this of the Chalice, did resolve to make it an Article of reformation, and to place it the last among those, to shew plainly that they held it to be of that ranke. There were also many discourses at that time, and some dayes after, about the point decided, that CHRIST offered himselfe in the *Supper*, some saying that, in regard of the three and twenty contradictors, it was not lawfully decided, and others answering that an eight part could not be called a considerable, or notable part. There were some also who maintained that the *maxime* had place only in the *Anathematismes*, and in the substance of the doctrine, and not in every clause which is put in for better expression, as this, which is not mentioned in the Canons.

The Decree concerning the Cup.

The matter of the next Session.

A *maxime* in the Councell about the major part.

The Emperours Ambassadours were very glad for the Decree of the Cup, being assured that his Majesty would more easily obtaine it of the Pope, and upon more favourable conditions, then it could have beene obtained in the Councell, where, for the variety of opinions and interests, it is hard to make many to be of one minde, though in a good and necessary matter. The greater part overcommeth the better, and he that opposeth hath alwayes the advantage of him that promoteth. And their hope was the greater, because the Pope seemed before to have favoured their Petition. But the Emperour had not the same opinion, aiming not to obtaine the communion of the Cup absolutely, but to pacifie the people of his owne States, and of *Germany*, who being distasted with the Popes authority for the things past, could not relish any thing well that proceeded from him; whereas if they had obtained this grant immediatly from the Councell, it would have given them good satisfaction, and bred an opinion in them, that they

they might have obtained other requeſts which they eſteemed; ſo that this motion being ſtopped, and the infected Miniſters caſheered, he did hope he might have held them in the Catholique Communion. He ſaw, by former experience, that the grant of *Paul* was not well received, and did more hurt than good; and, for this cauſe, he did proſecute the inſtance no further with the Pope, and declared the cauſe of it. Therefore when he received newes of the Decree of the Councell, turning to ſome Prelates who were with him, he ſaid, I have done all I can to ſave my people, now looke you unto it, whom it doth more concerne. 1562 PIUS 4. FERDINAND. ELIZABETH. CHARLES. 9 PHILIP 2.

But thoſe people which deſired and expected the favour, or, as they ſaid, the reſtitution of that which was due unto them, were all diſtaſted that their juſt requeſt having been treated on ſixe moneths, preſented by the interceſſion of ſo many, and of ſo great Princes, and after, for better examination, deferred and diſputed, and diſcuſſed againe with ſuch contention, ſhould, in the end be deferred to the Pope, which might have been as well done at the very firſt, without loſing ſo much time, ſo many perſwaſions, and ſo great paines. They ſaid, the condition of Chriſtians was according to the Prophecy of *Iſaias, he ſendeth, and countermandeth, expecteth, and reexpecteth.* For the Pope, who was moved firſt, referred that to the Councell, which now the Councell remitteth to him; and both of them doth mocke both Prince and people. Some diſcourſed more ſubſtantially, that the Synod had reſerved the definition of two Articles. Whether the cauſes which did formerly move to take away the Cup, are ſuch as that they ought to make them perſevere in the ſame prohibition; and if not, with what conditions it ought to be granted. The former being undoubtedly a matter not of fact, but of faith, the Councell did confeſſe, by a neceſſary conſequence, that it knew the cauſes to be unſufficient: and would not, for worldly reſpects, make the declaration. For if they had thought them ſufficient, they muſt needes perſevere in the prohibition; if any doubt had remained they would have proceeded in the examination, and ought not to remit it, but for the inſufficiency of the cauſes. But if they had made the declaration negative, that is, that the cauſes were not ſuch as that they ought to perſevere, and referred to the Pope to doe upon information, what remained to be done *de facto*, they might have been excuſed. Neither can it be ſaid that this is preſuppoſed by the reference. For in the Decree of this Seſſion, having repeated the two Articles, they reſolved to referre the whole buſineſſe to the Pope; and therefore not preſuppoſing any thing. The cenſure of the Decrees.

I doe not finde, in the memorials which I have ſeene, that the Decree of the ſacrifice did raiſe any matter of diſcourſe. And the cauſe perhaps was, for that the words doe not ſo eaſily declare the ſenſe, as containing many ſtrained *Metaphors*, which draw the mindes of the Readers unto divers conſiderations, who, when they are come to the end, know not what they have read. Only concerning the prohibition of the vulgar tongue in the Maſſe, the Proteſtants ſaid ſomething. For it ſeemed a contradiction, to ſay, that the Maſſe doth containe much inſtruction for the faithfull people, and to approove that part ſhould be uttered with a low voice, and wholly to forbid the vulgar tongue, only commanding the Paſtors to declare ſomething to

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the people. Whereunto some answered well, that, in the Masse were some secrets which ought to be concealed from the people, which are uncapable; for which cause they are spoken softly, and in the Latine tongue, but other things which be of good edification are commanded to be taught. But this was opposed two wayes; one, that therefore this second sort ought to be in the vulgar; the other, because they did not distinguish the two sorts. For the Pastors being commanded to declare, often, something of that which is, read, and conceal the rest, these two kinds being not distinguished, some of them may mistake for want of knowledge, and so abuse the people. The Antiquaries did laugh at these discourses; because it is certaine that every tongue which is now brought into Art, was formerly vulgar, in its owne Country; and that the Latin, used in the Church, was many hundred yeeres, both in *Italy*, and in divers Colonies of the Romans, in divers Provinces, the common language. And in the Romane Pontificiall there remaineth yet a forme of the ordination of Readers in the Church, in which it is said, that they must study to reade distinctly and plainly, that the people may understand. But he that would know what language is to be used in the Church, needeth only (without any more discourse) reade the 14 Chapter of Saint *Paul*, in the first to the Corinthians, which will sufficiently informe him, though his minde be never so much prepossessed with a contrary opinion. And he that would know what the meaning of the Church was, and when and why the Court made this alteration, may observe, that Pope *John* the eighth, having severely reprehended the *Moravians*, for celebrating of the Masse in the *Slavonian* tongue, and commanded them to doe so no more, yet being better informed afterwards, wrote in the yeere eight hundred eighty eight, to *Sfento-Pulero*, their King or Count, a letter, in which, not by way of grant, but of declaration, he affirmeth that it is not contrary to faith and sound doctrine to say Masse, and other prayers in the *Slavonian* tongue, because he that hath made the Hebrew language, Greeke, and Latine, and hath made others also for his glory, alleadged divers passages of the Scripture, and, in particular, the admonition of *S. Paul* to the Corinthians. Only he commanded that, for a greater *decorum* in the Church, the Gospel should first be read in Latin, and afterwards in the *Slavonian* tongue, as the use already was in some places. Notwithstanding he gave leave to the Count, and his Judges, to heare the Latin Masse if it pleased them better. To these things we must adde that which *Gregory* the seventh wrote to *Uratislaus*, of *Bohemia*, just two hundred yeeres after, that he could not permit the celebration of divine Offices in the *Slavonian* tongue, and that it was not a good excuse, to alleadge, that it was not formerly prohibited. For the Primitive Church hath dissembled many things, which afterwards, Christianity being established, upon exact examination, have been corrected. And he commanded that Prince to oppose the people herein with all his forces. Which things he that shall observe plainly, shall see which were the ancient incorrupt institutions, and how corruptions began for worldly respects and interests. For when men began to place heaven below the earth, good institutions were published to be corruptions, only tolerated by antiquity, and abuses, brought in afterwards, were canonized for perfect corrections.

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But to returne to the Decrees of the Councell, that of the reformation displeased many; considering, that in times past the Ecclesiasticall goods belonged to the whole Church, that is, to all the Christians of one Congregation; the administration whereof was committed to the *Deacons*, *Archdeacons*, and other dispensers, with the superintendency of the *Bishops* and *Priests*, to distribute them for the maintenance of Ministers, widowes, sicke, and other poore persons, for education of children, in hospitality, ransoming of prisoners, and other workes of piety. Notwithstanding, the Clergy, though unfitly, yet tolerably, began to desire to separate, and to know their part, and to use it as they pleased. But afterward the abuses came to the height. For the people was wholly excluded from all right in the goods, and the Ecclesiastikes being but administrators before, declared themselves to be Lords of them, converting that to their owne use, which was destinated for the poore, for hospitality, Schooles, and other workes of piety; whereof the world having a long time complained, and demanded a remedy in vaine, some Laiques have, in some places, piously erected other Hospitals, and Schools, &c. and appointed administrators of the Laity. Now the world, in this age, demanding a remedy more earnestly, that Hospitals, and Schools &c. usurped by Priests, may be restored, the Councell, in stead of granting a demand so just, and restoring Hospitals, Colledges, Schooles, and other places of piety, as was expected, hath opened a way, in the eighth and ninth Articles, to usurpe those also which have been instituted since, by ordaining the superintendency of Bishops; which no man can doubt, but that as it hath been a means formerly to divert goods destinated for good works, and to appropriate them to uses not pious; so it will, in a very short time, produce the same effect againe. The Parliaments of *France* spake much of this particular, and said plainely, the Synod hath exceeded their authority, medling with the goods of Seculars, it being cleere, that the title of a pious worke giveth no right to a Priest, that every Christian may apply his goods to what good worke he pleaseth, without giving the Clergy power to make lawes therein, otherwise the Laity would be in extreame servitude, if they might doe no good but what pleased the Priests. Some condemned also the Article, by which power is obliquely given to change Wills and Testaments, by prescribing how and when they may be changed; it being plaine, that Testaments have their strength from the Civill Law, by which only they may bee changed. And if any say that their strength is from the law of nature, the authority of Priests will be excluded the more; because where that law is dispensable, none can dispense but hee that holdeth the highest place in the Common-wealth, or his ministers. But the Ministers of CHRIST must remember that Saint *Paul* doth allow them onely the administration of the Ministers of God. And if any Common-wealth hath given, at any time, to their Prelates any jurisdiction concerning Willes, they are, in this, not Spirituall Judges, but temporall, and ought to receive lawes herein, not from Councels, but from that Majesty which governeth the Republique, and doe proceed herein, not as ministers of CHRIST, but as members of the Common-wealth, as they are called by divers names, and assist in publique governements. But the fifth Article in matter of dispensations, was

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no lesse noted. For it is plaine, that, in ancient times, every dispensation was administred by the Pastors in their severall Churches, and that afterwards in succesſe the Popes reserved to themselves the most principall things; which one might say was done, that the most important matters might not be managed by unsufficient persons, howsoever the reason formerly alleadged to the contrary by the Bishop of *Five Churches* seemeth very strong. But now the Councell decreeing that dispensations shall be committed to the *Ordinaries*, to whom they should belong, if reservations did cease, one may demand to what end power is taken from any person, to be given to the same againe? It is plaine that, by reserving dispensations, nothing was meant in *Rome*, but only that their Buls might be uttered; because this being done, they thinke it better the worke should be executed by him that should have done it, if he had not been forbid, then by any other. Divers other oppositions were made, by those who more willingly censure the actions of others, when they proceed from eminent persons; which because they be of no great moment are not worthy of an history.

The Pope being advised of the holding of the Session, and of that which happened in it, was very glad, as delivered from the feare he apprehended, that, in the contention about the Cup, his authority would bee drawne into disputation; and because this way of composing differences, by referring them unto him, was opened, he hoped the like might bee done in the Article of residence, or in any other that should be controversed: by which meanes the Councell would be ended quickly. But he foresaw two causes which might crosse his designe; one, the comming of the Card. of *Loraine* with the French Bishops, which did much trouble him, especially in regard of the vast thoughts of that Prelate, much contrary to the affaires of the Papacy, so incorporated in him, that he was not able to conceale them; for which he saw no remedy, but by making the Italians so farre exceed the *Ultramontans*, that in their voyces they should not passe for a considerable number. Therefore he continually solicited all the Bishops, whether titular, or others who had renounced, to goe to *Trent*, offering to beare their charges, and loading them with promises. He thought also to send a number of Abbats, as hath beene done in some Councels. But being advised better, he thought it fit not to shew so much affection, nor to provoke others to doe the like. He feared another crosse in regard of the purposes which he had discovered in all Princes to hold the Councell open with doing of nothing; in the Emperor, to gratifie the Dutchmen, and to gaine their favour in the election of his sonne to be King of the Romans; in the French King, to work his will with the same men, and with the Hugonots. He considered much of the Congregation of the Ambassadours, which seemed to be a Councell of Seculars in the midst of that of the Bishops; thinking that the Congregations of the Prelates would be dangerous, without the presence and presidence of the Legats to keepe them in order; and therefore, that the Ambassadours much more, might handle things prejudiciall; and that there was danger if they continued, that they might bring in some Prelate, in regard there were Ecclesiastikes amongst them, and so use licence, under the name of liberty. In this perplexity he conceived hope, because he saw

The Pope plotteth to make a major part in Councell.

saw the greater part of the Ambassadours oppose the propositions, and that none were combined but only the Ambassadors of the Emperour, and of the French King, who having no Prelats could prevaile but little. Notwithstanding hee thought fit to solicite the conclusion of the Councell, and to cherish the division which he saw amongst the Ambassadors. Therefore he wrot immediately that they should hold Congregations often, and digest, and put in order the matters quickly. And because to give one thanks, doth oblige him to persevere, he commanded that the Ambassadors of *Portugall*, and the Suisses, and the Secretary of the Marquisse of *Pescara*, should be commended and heartily thanked, on his part, for refusing to consent with others to an impertinent proposition. He caused thankes to be given to the Venetians, and Florentine, for the good intention they shewed in denying to come to the Congregation, praying them not to refuse to come hereafter if they were called, because he knew their presence would ever be serviceable to the Apostolike See, and hinder the bad designes of others. Neither was his Holinesse deceived in his opinion. For it made them all say, that they had done so, because in those times, the service of God did require that the Popes authority should be defended, resolving to persevere in that resolution. And they professed they were more obliged by the courteous thankes of his Holinesse for doing that, to which their duty did binde them.

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THE SEVENTH BOOKE OF THE HISTORY OF THE COVNCELL OF *TRENT.*

THE cuſtome of thoſe who write Hiſtories is, to propoſe, in the beginning, a modell of what they meane to handle. Which I have thought fit to deferre untill this place, making it an abſtract of the which is related already, and a deſigne of that which is to follow. Having reſolved to give to the memorials, which I had collected, ſome forme, which might not exceed my power, and yet beſt befit the matter, I conſidered, that, of all the negotiations which have hapned amongſt Chriſtians in this world, or perhaps will happen hereafter, this is the moſt principall, and that moſt men are deſirous to know whatſoever doth belong to that which they doe eſteem even the leaſt things of all. Therefore I thought firſt that the forme of a Diary would beſt agree to this ſubject. But two oppoſitions did croſſe mine opinion: One, that that forme could not befit the occurrences of twenty nine yeeres, ſpent in making preparation for the birth of this Councell, nor of the foureteene yeeres which paſſed while it ſlept, it not being knowne whether it were alive or dead. Another, that all the matter which a continuate Diary doth require, could not poſſibly be found. Therefore, fitting the forme of the matter, as nature doth, not the matter to the forme, as the Schools, I thought it not abſurd to write the preparatory and interconciliary times by way of *Annals*, and in thoſe of the celebration to make a Diary of the occurrences of thoſe dayes, the knowledge whereof I was able to attaine; hoping, that whoſoever ſhall reade this Treatiſe, will excuſe the omiſſion of thoſe which could not be knowne. For if of things, the intire memory of which thoſe who have intereſt do labour by all means to preſerve, often times a great part is quickely loſt, how much more will

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it happen in this, which many men of great place, and exact judgement, have uſed all diligence, and ſpared no paines wholly to conceale. It is true that matters of great weight ought to be held in a myſtery, when it is for the common good; but when itdoth damnifie one, and profit another, it is no maryaile if men who have contrary ends, doe proceed in contrary courſes. The common and famous ſaying of the Lawyers is true, that his cauſe is more to be favoured who laboureth to avoid loſſe, then his who ſeeketh gaine. For theſe cauſes this Treatiſe of mine is ſubject to ſome diſequality of Narration; and howbeit I might ſay, that as much might be found in ſome famous Writer, yet this ſhall be my defence; but this, that if others have avoyded it, they have not written the Hiſtory of the Counceli of *Trent*, nor any other like unto it.

The petition of the French Ambaſſadors.

The Ambaſſadors of *France*, ſo ſoone as the Seſſion was ended, received letters from their King, that they ſhould make inſtance for the deferring of it. Wherefore though the time was paſt, they came to the Legates, and told them they had a new commiſſion from the King to make requeſt, that they would labour in the reformation, and, for points of doctrine, expect the comming of his Prelates; adding that, if the matter of *Order* and *Matrimony* were diſputed by the Divines, and handled by the Prelates, no more points of doctrine would remaine, and the comming of the French-men would be to no purpoſe. Wherefore their requeſt was, that they would be pleaſed to deferre them untill the end of October, imploying themſelves in the meane ſpace, in the matter of reformation, or one day in that, and another, in matter of doctrine, not deferring as they had done, all the matter of reformation untill the laſt dayes immediately before the Seſſion, ſo that there ſcarce remained time ſo much as to ſee the Articles, much leſſe to conſult upon them.

To which the Legats anſwered.

The Legats anſwered, that their propoſition did deſire to be weighed well, and that they would be carefull to give them all poſſible ſatisfaction; demanding a copy of their inſtructions, that they might reſolve the better. The Ambaſſadors gave them a writing of this tenour: That the King having ſeen the Decrees of the ſixteenth of July, concerning the Communion *Sub utraque*, and deferring two Articles in the ſame matter, and thoſe propoſed in the Congregations concerning the Sacrifice of the Maſſe, howſoever he commendeth that which is done, yet he cannot conceal that which is generally ſpoken, that is, that the matter of diſcipline and manners is either quite omitted, or ſlenderly handled, and the controverſed points in Religion, in which all the Fathers doe agree, haſtily determined. Which although he thinketh to be falſe, yet he deſireth that the propoſitions of his Ambaſſadours may be expounded, as neceſſary, to provide for the good of Chriſtendome, and the calamities of his Kingdome. And having found, by experience, that neither ſeverity nor moderation hath beene able to reduce thoſe who are ſeparated from the Church, he thought fit to have recourſe to the Generall Councell, which he hath obtained of the Pope; that he was ſory that the tumults of *France* did hinder the comming of his Prelates; that he ſaw well that the conſtancy and rigour, in continuing the forme begun by the Legats and Biſhops, was not fit to reconcile peace, and make an unity in the Church; that his deſire was, that nothing might be done to aliene the minds

mindes of the adverſaries, now in the beginning of the Councell, but that they may be invited, and, in caſe they come, received as children with all humanity, hoping that by this meanes, they will ſuffer themſelves to be taught and brought backe to the boſome of the Church. And becauſe all that are in *Trent* doe profeſſe the ſame Religion, and neither can nor will make doubt of any part thereof, he thinketh the diſputation and cenſure in points of religion to be not only ſuperfluous, but impertinent for the Catholiques, and a cauſe to ſeparate the adverſaries the more. For he that thinketh they will receive the Decrees of the Councell in which they have not aſſiſted, doth not know them well; neither will any thing be done by this meanes, but arguments miniſtred of writing more Bookes. Therefore the King thinketh it better to omit the matter of Religion, untill he other of Reformation be well ſet in order: and that this is the ſcope at which every one muſt aime, that the Councell, which now is great, and will be greater by the comming of the French-men, may produce fruit. Afterwards the King demandeth, that in regard of the abſence of his Biſhops, the next Seſſion may be put off untill the end of October, or the publication of the Decrees deferred, or a new order expected from the Pope, to whom he hath written, labouring in the meane while in the matter of Reformation. And becauſe he underſtandeth that the ancient liberty of Councels is not obſerved, that Kings and Princes, or their Ambaſſadors may declare the neceſſities of their States, his Majeſty demandeth that their authority may be preſerved, and all revoked which hath beene done to the contrary.

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The ſame day the Emperours Ambaſſadours came to the Legats, requiring that the Articles ſent by his Majeſty, and preſented by them, might be propoſed, and were very earneſt that the points of doctrine might be deferred untill the comming of the French-men; and, that the reformation may be ſerviceable not only for the whole Church, but for the Church of every particular Kingdome, their deſire was that two of every Nation might be deputed, to put them in minde of that which did deſerve to be propoſed, and diſcuſſed in Councell. The Legats made a common anſwere to them both, that they could not alter, without great prejudice, the order ſet downe, which was to handle Doctrine and Reformation both together, and, if they ſhould, that other Princes would oppoſe; but, to content them, they would ordaine that the Divines and Prelates ſhould examine the matter of Order only; and afterwards handle ſome points of Reformation, obſerving ſtill the former uſe, that every one, of what condition ſoever, may put them, the Legats, in minde, of what they thinke neceſſary, profitable, or convenient; which is a greater liberty then to have two deputed for every nation, and afterwards they would treat of *Matrimony*. The Ambaſſadours being not one jote contented, the Legats ſent all their demands to the Pope.

The petition of the Emperors Ambaſſadors.

The French-men complained to all men of this auſterity, and for that the Pope had lately commanded other Prelates to goe to the Councell, that he might exceed in number: which the Papalins themſelves did not like ſhould be done ſo openly, and juſt when the newes was ſpread of the comming o the French-men; deſiring to be ſecured by a *major* part, yet ſo, as not to hav it knowne for what cauſe it was done. But the Pope did of ſet purpoſe pro

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ceed so openly, that the Cardinall of *Loraine* might know that his attempts would be in vaine, and so resolve not to come, or that the French-men might take some occasion to make the Councell dissolve. Neither was the Pope only of this opinion, but all the Court, fearing some great prejudice by the Cardinals designes; which howsoever they might not succeed (a thing which they could scarce hope for) yet his comming only would hinder, prolong, and disturbe the Councell. *Ferrara* tolde *Loraine*, his kinseman, that his journey would be of no moment, and of small reputation to himselfe, in regard he would arrive after all was determined; and *Biancheto*, a familiar friend of the Cardinall of *Armignac*, who also had credit with *Loraine*, wrote as much to them both; and the Secretary of *Seripando*, who had familiarity with the President *Ferrier*, tolde him the same; all which was thought to be done by commission from the Pope, or to please him, at the least.

The Articles of the Sacrament of Order.

But their care of the actions of the Councell was not intermitted for all this. For the Articles, concerning the Sacrament of *Order*, were presently given forth, to be disputed by the Divines, the disputants elected, and distinguished into foure rankes, each of them being to discusse two. For they were eight. 1. Whether *Order* be truely and properly a Sacrament, instituted by CHRIST, or an humane invention, or Rite, to elect Ministers of the word of GOD, and of the Sacraments? 2. Whether *Order* be one Sacrament onely, and all others bee meanes and degrees unto *Priesthood*? 3. Whether there be an *Hierarchy* in the Catholique Church, consisting of *Bishops*, *Priests*, and other *Orders*, or whether all Christians be *Priests*, or whether the vocation or consent of the people or secular Magistrate be necessary, or whether a Priest may become a Laicke? 4. Whether there be a visible and externall *Priesthood* in the new Testament, and a power to consecrate and offer the Body and Blood of CHRIST, and to remit sinnes, or only the bare Ministery to preach the Gospel, so that those who preach not are not *Priests*? 5. Whether the holy Ghost is given and received in ordination, and a *Character* imprinted? 6. Whether *Unction*, and other Ceremonies, be necessary in conferring *Order*, or superfluous, or pernicious? 7. Whether Bishops be superiour to Priests, and have peculiar power to confirme and ordaine, and whether those who are brought in by any other meanes then Canonicall ordination, are true Ministers of the Word and Sacraments? 8. Whether the Bishops, called and ordained by the Pope, be lawfull, and whether those be true Bishops who come in by any other way than Canonicall institution? The 23 of the moneth the Congregations of the Divines began, and were held twice a day, and ended the second of October. I will, according to mine use, relate those opinions only which are remarkeable, either for singularity or contrariety among themselves.

Are disputed in the Congregations.

In the first Congregation foure Divines of the Pope spake; who did all agree in proving that *Order* was a Sacrament, by places of Scripture, especially by that of S. *Paul*. 1. *The things which come from Gord, are ordained*; then by the tradition of the Apostles, sayings of the Fathers, uniforme consent of Divines, and above all, by the Councell of *Florence*, adding also this reason, that the Church would be a confusion if there were not governement and obedience.

dience. But Friar *Peter Soto* was copious, in shewing that there were seven *Orders*, and each properly a Sacrament, and all instituted by CHRIST, saying, it was necessary to make a declaration herein, because some Canonists, passing the limits of their profession, have added two more, the first Tonsure, and the Bishopricke; which opinion may cause many other errors of greater importance. He likewise shewed at large, that CHRIST had, when he was on earth, exercised all these *Orders*, one after another; all whose life as it was addressed to the last of these Sacraments, so it is plaine, that all the others serve onely as a ladder, to climbe up to the highest, which is the *Priesthood*. 1562 PIUS 4. FERDINAND. ELIZABETH. CHARLES. 9 PHILIP 2.

But *Jerolamus Bravus*, a Dominican Friar, having protested that he constantly held that there were seven *Orders*, and each of them a Sacrament, and that the use of the Church ought to be observed, to proceed from the inferiour to the superior, and so to the *Priesthood*, he added, that he was not of opinion that so particular a declaration ought to be made, in regard of the difference betweene the Divines, amongst which one can hardly find two of the same minde. For which cause *Cajetan*, in his old age, wrote, that he that collecteth the things taught by the Doctors, and in the ancient and moderne Pontificals, will see a great confusion in all other *Orders* but *Priesthood*. The Master of the *Setences* maintained, that *Sub-deaconship* and inferiour *Orders*, were instituted by the Church, and the Scripture seemed to have instituted the *Deaconship*, as a ministery of Tables, and not as one of the Altar. The difference concerning inferiour *Orders* in the old Pontificals, were that which is in one is not in another, doth shew they are Sacramentall, and not Sacraments. And reason doth lead us hereunto. For the actions which one ordained doth, may be done by one not ordained, and are of the same validity, effect, and perfection. Saint *Bonaventure* also, though he thinketh that all seven are Sacraments, yet he holdeth two other opinions to be probable; one, that only *Priesthood* is a Sacrament, and the inferiours, being imployed about corporall things, as to open doores, reade Lessons, light Tapers, and the like, doe not seem to expresse any celestiall matter, and are therefore only dispositions to *Priesthood*. The second, that the three holy *Orders* are Sacraments, and, concerning the common saying, that the inferiour are degrees to the superiour, Saint *Thomas* affirmeth, that in the Primi ive Church many were ordained Priests immediatly, without passing by the inferiour *Orders*, and that the Church did ordaine that this passage should be made for humiliation only. It appeareth plainely, in the Acts of the Apostles, that Saint *Matthias* was immediatly ordained an Apostle, and the seven Deacons did not passe by the *Sub-deaconship*, and the inferiour *Orders*. *Paulinus* saith of himselfe, that, having a purpose to apply himselfe to the service of GOD in the Clergy, he would, for humiliation, passe by all Ecclesiastiall degrees, beginning from the *Ostiary*: but while he was thinking to begin, being yet a Laicke, the multitude took him by force in *Barcellona* on Christmas day, caried him before the Bishop, and caused him to be ordained *Priest* at the first; which would not have been done if it had not beene the use in those times. Therefore this *Bravus* concluded, that the Synod ought not to passe beyond those things which are agreed on by the Catholiques, and that it was better

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to begin with the *Order* of *Priesthood*, which would make a connexion betweene this Session and the last, which handled the Sacrifices, and to passe from *Priesthood* to *Order* in generall, not descending to any particularitie.

The Bishop of *Five Churches* maketh a speech concerning reformation.

The Congregation being ended, and most of the Prelates departed, *Five Churches*, with his Hungarians, and some Polonians, and Spaniards, taried behinde; to whom he made a speech, and said, that the Emperour, being freed from all suspicion of warre, by the truce concluded with the Turke tooke nothing so much to the heart as the reformation of the Church; which would surely be effected, if some of the Prelates in the Councell would assist. Therefore he exhorted and prayed them, for Gods sake, and for the charitie which every Christian oweth to the Church, that they would not abandon so honest, just, and profitable a cause, that every one would put downe in writing what he thought might be constituted for the service of God, without any respect of man, not reforming one part, but the whole body of the Church, both in the head and in the members. *Granata* did second him, shewing the necessitie and opportunitie thereof, thanking the Bishop of *Five Churches* for his admonition, and said, they would consult amongst themselves.

And is seconded by the Spaniards.

For this cause the Spaniards, being assembled together, discoursed of the necessity of reformation, and the hope thereof, in regard of the Emperours inclination, from which their King also, who was most piously addicted would not dissent, and the French Prelates, who would shortly be there, would undoubtedly promote and assist the worke, in earnest. They repeated divers abuses, and shewed that the fountaine of them all was in the Court of *Rome*, which is not onely corrupt in it selfe, but the cause of deformation in all Churches, and particularly the usurpation of the Episcopall authoritie, by reservations, which if it were not restored, and the Court deprived of that which they have taken from Bishops, it would bee impossible the abuses should be redressed. *Granata* considered, that, it being necessary to lay a good foundation for so noble a Fabrique, a way was open for them now that they were to speake of the Sacrament of *Order*, if it be determined that the authority of Bishops is instituted by CHRIST; because it will follow by consequence, that it cannot be diminished; by which meanes that will be restored to the Bishops, which having beene given them by CHRIST, hath by the ambition of others, and their own negligence, been usurped from them. *Braganza* added, that it was so much the more necessary, because the Episcopall authority was brought to nothing, and the *Order* erected superiour to Bishops, unknown to the Church in former ages, that is, the Cardinals, who at the first were esteemed in the number of Priests, and Deacons, and, after the tenth age began to exalt themselves above their degree. Notwithstanding they were still accounted inferiour to Bishops untill the yeare 1200. since which time they have so farre advanced themselves, that they hold Bishops as servants in their houses, and it will be impossible to reforme the Church, untill both of them be reduced to their due places.

These propositions and discourses were heard with applause; so that they resolved to elect six of them, to put in writing the things necessary and fit, as well for the reformation in generall, as particularly for this point of the institu-

institution of Bishops, whence they purposed to begin, *Granata*, *Jasper Cornante*, Archbishop of *Messina*, the Bishop of *Segovia*, and *Martin de Cordova*, Bishop of *Tortosa* were named; the last of which was cause why the project did not proceed. For, having secret intelligence with the Papalins, he excused himselfe, alleadging his own insufficiency; and the unfitnesse of the time, adding that *Five Churches* was not moved with piety, and had no other end than to make use of them, to constraine the Pope by meanes of the reformation, to grant the use of the Cup, wherein they had been averse. And seeing they were disposed to heare him, he prevailed so much with them that they passed no further for the present, but interposed a delay. Notwithstanding it was not long deferred. For *Granata*, *Braganza*, *Messina*, and *Segovia*, having obtained audience of the Legates, desired that they might handle the Articles proposed heretofore by Cardinall *Crescentius* in this same Councell, and concluded, though not published, that is, that the Bishops are instituted by CHRIST, and are superiour to *Priestes de jure divino*. The Legates, after they had conferred together, answered, that the *Lutherans* having affirmed that a Bishop and a Priest is the same thing, it was fit to declare that a Bishop is superiour, but that it was not necessary to say *quo jure*, nor by whom a Bishop is instituted, because there is no controversie of it. *Granata* replyed that there was a controversie, and that if the Divines did dispute it, the necessity of deciding this point would bee known. The Legates would not consent by any meanes; and, after some few sharp words on both sides, the Spaniards departed without having obtained any thing; yet resolved still to perswade some of the Divines to bring this particular into the discussions, and to make mention of it when they were to give voices in congregation. But the Papalins, understanding hereof, did cause it to be voiced amongst the Divines, that the Legates did forbid all speach of that question.

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The Legates will not suffer the institution of Bishops to bee discussed.

But to returne to the congregation, when the second rank spake, consisting of Divines and Canonists, *Thomas Pasius*, a Canon of *Valentia*, said, that all doubt made of Ecclesiasticall *Hierarchy*, did proceed from grosse ignorance of antiquity, it being a thing most knowne that in the Church the people hath always been governed by the Clergy, and, in the Clergy, the inferiours by the superiours, untill all be reduced unto one universall *Rector*, which is the Pope of *Rome*. And having declared the proposition at large, he added that there was no need to do any thing herein, but to make this truth appeare by removing the contrary errours, which have beene brought in by the Schoole men, who sometimes, by too much subtility, do make plain things obscure, opposing the Canonists, who place the first *tonsure*, and the Bishoprick in the number of *Orders*. Of the latter he said, it seemed strange to him, how they could confesse, that confirmation, ordination, and so many other consecrations doe so pecularly belong unto it, that they cannot possibly be done by any else, and yet deny it to be an *Order*, when as they give that name to the keeping of the doore, which may aswell be done by a Lay-man. For the first *tonsure*, he hath ever heard the Divines say, that a Sacrament is an externall signe which signifieth a spirituall grace, and that the *tonsure* is the signe, and the thing signified is the deputation to the service of God; and

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Of Ecclesiasticall *Hierarchie.*

therefore he wondred why they would not have it to be a Sacrament, and the rather, because one entreth into the Clergy by it, and doth participate of Ecclesiasticall exemptions; so that, if it were not instituted by Christ, it could not be said, that either Clergiship, or the exemption thereof, were *de jure divino*; that it was plaine that the *Hierarchy* consisteth in the Ecclesiasticall *Orders*, which is nothing but an holy order of superiors and inferiors, which can never be well established without making, as the Canonists do, the *tonsure* the lowest, and the *Bishoprick* the highest; which being done the *Hierarchie* is all established, because the first and last being given, those of the middle will necessarily follow, which cannot subsist without the former.

Concerning the other part of the Article, they said, it was very plaine by the Canons, that in the choyce of Bishops and deputation of Priests, and Deacons, the people of all sorts was present, and gave voice or approbation, but this was by the Popes tacit or expresse consent; because no Laicke can have authority in matters Ecclesiasticall, but by priviledge from him. And this was granted in those times, because the common people, and Grandies also, were devout, and did, by this means, entertaine themselves in spirituall things, and shewed more obedience and reverence to the Clergy, being more ready to inrich it with oblations and donations, which hath made the holy Church to be in that state in which it now is. But since devotion did cease, the seculars have aimed only at the usurpation of the Church goods, and to place their adherents in the Clergy. And now the new heretikes have made a deviliſh invention, saying, that was due to the people which was granted by favour which is one of the most pestiferous heresies which hath ever beene set on foot, because it doth destroy the Church, without which faith cannot stand. He alleadged many reasons and congruities, to shew that the ordination ought to be in the power only of the ordainer, which he confirmed by the Popes *Decretals* and concluded in the end, that not only the Article was to be condemned as heretical, but that, the voice and consent of the people in ordinations being taken away, for just and necessary reasons, the Pontificall also ought to be corrected, & those places removed which make mention thereof; because, so long as they continue there, the heretikes will make use of them, to prove that the assistance of the people is necessary. He said the places were many; but to recite one, in the ordination of Priests, the Bishop ordaining saith, that it hath bin constituted by the Fathers, not without cause, that the people should have voice in the ordinatiõs of the Rectors of the altar, that they may be obedient to him whom they have ordained, in regard of their consenting to his ordination. If this and other Rites shall remain, the heretikes will alwaies detract from the Catholike Church, saying the ordinations now are but shadows & shews, as *Luther* did wickedly say.

Francis Forrier, a Dominican of *Portugal*, said the *Hierarchie* of the Catholike Church, could not be doubted of, it being prooved by the Apostolicall tradition, by testimony of all antiquity, and by the continuall use of the Church. And howsoever the word be not used by all, yet the thing signified hath ever beene in practise. *Dyonisius Areopagita* hath made a proper treatise of it, and the *Nicen* Councell hath approved it, and called it an ancient custome: and that which hath beene called ancient in the beginning

of

of the fourth age, must needs have its originall from the time of the Apostles. 1562
Only he thought it not fit to handle this point joyntly with the Sacrament of *Order*, howsoever many of the Schoole-men doe handle it in that place, putting the *Hierarchie* in the superiour and inferiour *Orders*; a thing which cannot subsist, it being certaine that the Pope is the highest Hierarch, and that the Cardinals doe follow, and then the Patriarches, Primats, Arch-bishops, Bishops, Arch-Priests, Arch-Deacons, and other inferiour degrees under the Pope, as Head. And to omit the disputation whether the Bishoprick be an *Order*, it is certaine that the Arch-bishopricke, Patriarkship, and Papacy are not *Orders*, and doe signifie only superiority and jurisdiction over Bishops. Therefore the *Hierarchy* consisteth in jurisdiction, and the Councell of *Nice* placeth it in that, when it speaketh of the Bishop of *Rome*, *Alexandria*, and *Antioch*. Therefore the handling of *Hierarchy* must not be joyned with that of *Order*, for feare of giving way to calumny.

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There was much variety in the discussion of these Articles, those of the second ranke returning to the former, and some disputing that the degree of a Bishop was an *Order*, and others, that above Priest-hood, there was nothing but Jurisdiction; some alleadging Saint *Thomas*, and some Saint *Bonaventure*, and some being of a middle opinion, that is, that it is an eminent dignity, or office of the *Order*. The famous saying of Saint *Hierom*, and the authority of Saint *Austin* were alleadged, who say that the degree of a Bishop hath been most ancient, but yet an Ecclesiasticall Constitution. *Michael* of *Medina* did oppose, and say, that the Catholike Church, as Saint *Epiphanius* saith, did condemne *Ærius* of heresie, for saying that the Degree of a Bishop is no greater than that of a Priests: into which heresie it is no wonder if *Hierom*, *Austin*, and some other of the Fathers did fall, because the matter was not cleere in all points. This boldnesse, to say that *Hierom* and *Austin* did savour of heresie, gave great scandall; but he insisted the more upon it, and maintained his position. And the Doctors were equally divided into two opinions in this point.

Others placed this *Hierarchy* in *Orders* only, alleadging *Dyonisius*, who in naming the Hierarchs, maketh mention of none but of Deacons, Priests, and Bishops. Some followed *Forrier*, that it did consist in *Jurisdiction*. At the last a third opinion came forth, that it was a mixture of both, which afterwards was more generally approoved. For placing it in *Order*, it did not appeare how Arch-bishops, Patriarchs, and, which is of more importance, the Pope himselfe could enter, all being of accord that these Degrees are not *Orders* above the Degree of a Bishop. Yet some did alleadge the common saying to the contrary, that the Episcopall *Order* is divided into four parts, Bishops, Arch-bishops, Patriarches, and the Pope: in placing it in jurisdiction, none of the holy *Orders* did enter.

There was a great disputation amongst them about the forme of the *Hierarchy*; some saying it was Charity, some Faith informed, and others, according to Cardinall *Turrecremata*, Unity. To this last was opposed that unity is a genericall quality in all that is one, and is an effect of the forme which doth produce it. Those who were for charity brought very many places of the Fathers, which doe attribute the unity of the Church unto it.

The forme of the *Hierarchie*.

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But others said that it was the heresie of *Wiglef*. For, if it were so, a Prelate, loosing charity, would be out of the *Hierarachy*, and lose authority. Notwithstanding they did not avoyd the difficulty, by making faith informed to be the forme, because a Prelate might externally counterfeit, and be secretly unfaithfull, who not being of the *Hierarchy*, the Christian people could not know whom to obey, because they might doubt of all, and sometimes had cause to doe it. And as the Divines, especially the Friars are free in exemplifications,, they alleadged the Pope, saying, that, in case he should be incredulous, the whole *Hierarchie* would perish by his default, whether one did make faith or charity to be the forme. and therefore they said, Baptisme was. But the same difficulties did arise in regard of the uncertainety thereof, because the intention of the Minister, according to the determination of the Councell, is essentially required, which is more secret then the other two: for which cause it cannot be certainly affirmed of any that he is baptized.

The Articles, whether there bee a visible Priesthood? or whether all Christians be Priests? or whether a Priest may become a Layman? or whether his office bee preaching? were not handled with any discussion, but with declamations against the Lutherans, who deprive the Church of commerce with GOD, and of the meanes to appease him, making it a confusion without governement, and bereaving her of all her beauty and comelinesse. Friar *Adamantius*, of *Florence*, a Divine of this ranke, belonging to Cardinall *Madruccio*, said, that the greatest part of those who had spoken, had alleadged only probable reasons, and conveniences, which when Articles of faith are discussed, doe not only not force the adversaries, but confirme them more in their opinion; and, for proofe hereof he brought a direct place of Saint *Austin*. He added that discussions in Councell should differ from disputations in Schooles. For in those how much the more things are minced, and curiously handled, the better it is; but it doth not become a Councell to examine any thing, but that which may be cleered and made plaine. Notwithstanding many questions were disputed, the knowledge whereof cannot in this life (in which GOD doth not suffer all to discovered) possibly be attained. For this Article, it is abundantly sufficient that the Church hath an *Hierarchie*; that the *Hierarchie* consisteth of Prelates and Ministers, that these are ordained by Bishops, that *Order* is a Sacrament, and that Seculars have no part herein. *Petrus Ramirius*, a Franciscan Friar, following the doctrine of *John Scot*, said, that *Order* ought not to be called a Sacrament, because it is invisible and permanent, whereas all the Sacraments are necessarily visible, and (except the *Eucharist*) consist in action. Therefore to avoyde all difficulties, one must not say that *Order*, but that Ordination is a Sacrament. But he was much opposed, because all the Divines, and (which is of no lesse importance) the Councell of *Florence* also do call *Order* a Sacrament. And it would be a great boldnesse to taxe all the Doctors, a generall Councell, and the whole Church for speaking improperly.

Of the holy Ghost given in Ordination.

In the third ranke, there was no lesse variety of opinions concerning the fift Article. For howsoever all agreed that the holy Ghost is given and received

ceived in Ordination, yet ſome ſaid, he was given in his proper perſon, and others, in the gift of grace only. They diſputed much on both ſides, but thoſe eſpecially who affirmed grace. Another queſtion was, whether grace of Juſtification be conferred, or onely a gift to exerciſe the office. For the former was alleadged, that all the Sacraments give grace of Juſtification; for the later, that a man cannot without repentance receive grace, and yet may receive *Order*. For the *Character*, as they all agreed that it is imprinted in *Prieſthood*, ſo they diſſented in all the reſt. For ſome ſaid it was imprinted in the holy *Orders* only and others in all the ſeven; both which opinions Saint *Bonaventure* doth thinke to be probable. Some were better pleaſed with the diſtinction of *Durandus*, that underſtanding, by *Character*, a power to worke a ſpirituall effect, the *Prieſthood* only hath it, which onely can conſecrate, and remit ſinnes; and the others have it not, in regard their actions are corporall, which a Lay-man, without any the leaſt veniall ſinne, may doe as well as they. But if by *Character* be underſtood a deputation to a ſpeciall office, ſo all the *Orders* have a proper *Character*. Others oppoſed that it was a Lutherane opinion, contained in the firſt Article, and ſaid, that therefore it was neceſſary to affirme a proper and indeleble *Character* in all. And ſome ſaid it was in the firſt *tonſure* alſo; becauſe it was not reiterated in thoſe who are degraded, as would be neceſſary if a *Character* were not imprinted; and becaule, by it, one is inveſted in the Clergy, and made partaker of Eccleſiaſticall exemptions, and immunities. Neither would it be poſſible to maintaine that Clerkſhip, and the immunities thereof were *de jure divino*, but by ſaying, that the firſt *Tonſure* is a Divine inſtitution. Concerning the degree of Biſhops the controverſie was greater, and the queſtion was revived whether it be one of the *Orders*. For having two proper actions ſo famous, to confirme, and ordaine, a Spirituall power is neceſſary to it, which is a *Character*, without which ordination and confirmation would be to no purpoſe. The auditors were weary with hearing ſo many difficulties, and did willingly give eare to thoſe who ſaid they ought to omit them, and ſpeake onely in generall termes. But the Friars grumbled, and were angry to ſee in them a diſpoſition to define Articles, and pronounce *Anathemaes*, not underſtanding the points, and abhorring thoſe who would informe them.

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Of the Character.

In the ſixt Article they all condemned the Lutherans, for detracting from unctions, and Ceremonies uſed in conferring *Orders*. Some deſired that thoſe which are neceſſary, and belong to the ſubſtance of the Sacrament (as was done in the Councell of *Florence*) might be diſtinguiſhed from the reſt, and him declared to be an heretique, who ſhould ſay that *Order* might be given or received without them; and for the others, that hee ſhould bee condemned in generall termes, who did call them pernicious. Hereupon a great contention aroſe which were neceſſary, and which were added for ornament, or devotion. *Melchior Cornelius*, a *Portugal*, ſeemed to ſpeake much to the purpoſe; who ſaid, the Apoſtles did undoubtedly uſe impoſition of hands in ordination, ſo that none is mentioned in the holy Scripture without that ceremony; which, in ſucceeding ages, was thought to be ſo eſſentiall, that Ordination was called by that name. Notwithſtanding, *Gre-*

What ceremonies be neceſſary in conferring *Orders*.

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gory the ninth saith, it was a rite brought in, and many Divines doe not hold it to be necessary, howsoever others be of the contrary opinion. It appeareth also by the Decretall of *Innocentius* the third in this point, that unction was not used in all Churches. And the famous Canonists, *Hostiensis*, *Johannes Andreas*, *Abbas*, and others doe affirme, that the Pope may ordaine a Priest with these words only, Be thou a Priest; and (which is of more importance) *Innocentius*, Father of all the Canonists, saith; that if the formes had not been invented, it had beene sufficient if the Ordainer had used these words only, Be thou a Priest, or others equivalent, because they were instituted by the Church afterwards to be observed. For these reasons *Cornelius* gave counsell not to speake of necessary Ceremonies, but onely to condemne those who hold them to be superfluous, or pernicious.

Although the Congregations of the Divines did take up almost all the time, yet the Prelates did more intend, and discourse amongst themselves of reformation, some promoting, and some declining it, then of the points of doctrine discussed by the Theologues; so that the frequent and publique speeches which were heard throughout all *Trent*, cherished by the Ambassadours of the Emperour, and French King, induced the Legats to thinke it necessary to make shew they were not averse from it; especially because they had promised to propose it so soon as the matter of *Order* was discussed, and understood, that a discourse of the Ambassadour *Lansac* was received with great applause made in an assembly of many Ambassadours and Prelates, in which he concluded that if the reformation, proposed and demanded by the Emperour, was so feared and abhorred, yet, at the least, a way ought to be found out without making new constitutions, to cause those things which have beene established in ancient Councels to bee observed, by remooving the impediments which doe nourish the abuses. The Legats caused the propositions of the Imperialists, and all the instances made unto them in matter of reformation untill that day, and their owne answeres to be put together, and an abstract to be made of the Constitutions of the Assembly in *France*, and of the demands of the Spanish Prelates: all which they sent to the Pope, and told him it was impossible to entertaine them any more with words, and that it was necessary to shew the world by some effect, that they have a purpose to handle this matter, and to give satisfaction in some sort to the Ambassadours of Princes, especially in that which they desire for the interest of their Countreys; yet with such circumspection as that they may not prejudice the Papall authority, or prerogatives of the Church of *Rome*.

The Legats are much troubled with the speeches passed concerning Reformation.

And send to the Pope.

The Pope seeing the instruction of the French King, which did import the prolonging of the Councell, was much displeased. For he had conceived hope, that all which did remaine to be discussed, might be defined in the next Session of the 12 of November, or if not, yet that the Councell would be concluded, suspended or dissolved in the end of the yeere, at the latest. He therefore answered the French Ambassadour residing with him (who desired the points of doctrine might be deferred untill the comming of their Prelates, and the matter of reformation handled in the meane time) that he was informed that the Cardinal of *Loraine* meant to tarry untill the surprise of

of *Burges*, and to attend the King to *Orlience*, so that his departure out of *France* would be very late, and perhaps never, and that it was not iust to entertaine so many Prelates in *Trent*, upon designes so remote; that the demands for delay were not made, because the French-men desired to goe to the Councell, but to put himselfe and the Prelates to more charges, protesting, that, if his money were consumed by this meanes, he should not be able to continue in assisting the King. He made it a greater matter, that their Prelates had been expected eighteene moneths, and himselfe lead along with divers frivolous excuses. He complained of his condition, that if the Councel useth any respect towards him, which it doth but seldome, the Ambassadours, there present, say it is not free, and yet themselves to desire him to ordaine a dilation, which is a thing more unjust, and more abhorred by the Fathers then any other. His conclusion was, that when he had assurance or likelyhood of their comming, he would endeavour that they should be expected, saying, he had given order to be advertised, by an expresse Currier, of the Cardinals departure, that he might presently employ himselfe in the businesse, and, in the meane while, he thought it not just that the Fathers should be idle. He said the matter of reformation was more fit to be deferred then this of doctrine which doth not concerne him, as being a good Catholique, who will undoubtedly not dissent from others. But in matter of reformation it is fit to heare him, because it doth concerne him, as being a second Pope, having many Benefices, and a revenue of three hundred thousand Crownes of Church livings, whereas himselfe hath but one Benefice, wherewith he is content; that notwithstanding he had reformed himselfe, and all parts of the Court, to the hinderance and losse of many of his officers, and would doe more, but that he saw plainly, that, by diminishing his revenues, and by weakening the forces and the sinewes of his State; he encourageth the adversaries, and exposeth all Catholikes, who are under his protection, to the injuries of his enemies. And, for the Countreys which are not subject to him in temporall matters, he said the overthrow of discipline did arise from themselves, and from the Kings and Princes, who, with unfit importunate requests, doe force him to make extraordinary provisions, and grant unusuall dispensations; that his condition was miserable, who if he did deny unfit requests made unto him, every one complained of the injury: if he granted them, all the inconveniences ensuing was ascribed unto him, and men began to speake of reformation, as the Kngs Ambassadours had done in *Trent*, in such generall termes, that it cannot be understood what they meane. He said, let them come to particulars, and say what they would have reformed in the Kingdome, and they shall have satisfaction in foure dayes; that the Prelates in *Poisi*, have made many constitutions, which he will confirme when he shall be requested: but to stand upon universalities only, and to find fault with all that is done, without proposing any thing, sheweth they beare no good affection.

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The fourth ranke of Theologues remained, who were to handle the superiority of Bishops above *Priests*. Those who spake first followed the doctrine of Saint *Thomas* and *Bonaventure*, who say a *Priest* hath two powers, one to consecrate the Body and Blood of CHRIST, and the other to remit sins;

The superiority of Bishops above Priests.

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ſins; in the former whereof a *Prieſt* is equall, in regard a Biſhop hath not greater authority then a ſimple *Prieſt*, but inferior in the later, becauſe not the power only of *Order*, but of juriſdiction alſo is required. Others added that it was a more excellent action to give authority to conſecrate, then to conſecrate, and therefore that the Biſhop was ſuperior in this alſo, who cannot only doe it himſelfe, but ordaine *Prieſts*, and give them authority. But this being diſputed ſufficiently, they returned to handle the Articles of the *Hierarchy*, as being the ſame with this point of ſuperiority; and the queſtion being whether it doth conſiſt in *Order*, juriſdiction, or in both, *Antonius* of *Mont-Alcino*, a *Franciſcan*, ſaid it ought not to be underſtood of an imaginary ſuperiority, conſiſting in preeminence, or perfection of action, but in ſuperiority of governement, ſo that it may make lawes, give commands, and judge cauſes, as well in the Court of Conſcience, as in the externall; which ſuperiority is to be diſcuſſed, becauſe it is denied by the Lutherans. He ſaid there muſt be an authority in the Church to governe it, the unity whereof could not otherwiſe be preſerved. He proved it by the example of Bees, and Cranes, ſaying, that in every particular Church a ſpeciall authority was neceſſary to governe it, which was in the Biſhops, who have part of the charge, the totality whereof is in the Pope as Head of the Church; which containing authority to judge, and to make Proceſſes and Lawes, it muſt needs be a power of juriſdiction. Concerning *Order*, he ſaid a Biſhop was of an higher degree then a *Prieſt*, having all the power of him, and two powers more; yet notwithſtanding cannot be called his ſuperiour; as a *Subdeacon* is foure degrees higher then a doore-keeper, yet not ſuperiour unto him. He prooved this his opinion by the generall uſe of the whole Church, and all Chriſtian Nations; and alleadged divers authorities out of the Fathers. Finally, he came to the holy Scripture, citing many places of the Prophets, to ſhew that this authority is called the authority of a *Paſtor*, ſaying, that the univerſality of it was given to S. *Peter*, when CHRIST ſaid, *Feed my Lambes*; and ſome of it imparted by *Peter* to the Biſhops, when he bade them, *Feed the flocke which they have in their cuſtody.* And this opinion had great applauſe.

But before thoſe of this fourth ranke made an end of ſpeaking, the Spaniſh Prelates reſolving the point ſhould be handled whether Biſhops are inſtituted by CHRIST, after they had conſulted together, did conclude that it was better the firſt motion ſhould begin in the Congregations of the Divines, that themſelves might with more ſhew of reaſon, reſuming the things ſpoken before, diſcourſe upon them, and compell others to doe the like. Therefore, in the Congregation of the firſt of October, *Michael Oroncuſpe*, a Divine of the Biſhop of *Pampelona*, ſaid to the ſeventh, that being to qualifie or condemne a propoſition which hath many ſignifications, it was neceſſary to diſtinguiſh them, and afterwards to examine them one by one: and he thought the propoſition whether Biſhops be ſuperiour to Prieſts to be ſuch. For one muſt diſtinguiſh whether they be ſuperiors *de facto*, or *de jure*. That they are ſuperiors *de facto* it cannot be doubted, becauſe preſent experience, and the Hiſtories of many ages do ſhew, that Biſhops have exerciſed ſuperiority, and *Prieſts* obedience. Therefore this Article being without queſtion, the other, *de jure*, remaineth to be diſcuſſed. Wherein there is another ambiguity

biguity alſo, whether *jure pontificio*, or *Divino*. In the firſt ſenſe the caſe is cleere, that they are ſuperiours, there being ſo many Decretals which ſay it expreſſely: which howſoever it be true and certaine, yet the Lutherans are not in this regard to be condemned for heretiques, becauſe that cannot be an Article of faith which is grounded only upon the law of man, and deſerve to be condemned for denying the ſuperiority of Biſhops, only in caſe it be *de jure divino*. He added that he thought this point very cleere, and that he could evidently proove it, and reſolve any thing alleadged to the contrary, ſaying he muſt not proceed further, being prohibited to ſpeake of it. And here he ſhewed that the miniſtery of Confirmation and Ordination is proper to Biſhops. And having ſpoken upon the eighth Article, in conformity of the others, he ended his diſcourſe. 1562 PIUS 4. FERDINAND ELIZABETH. CHARLES. 9 PHILIP 2.

Johannes Fonſeca, a Divine of the Arch-biſhop of *Granata*, followed; who entred bravely upon the matter, ſaying, it neither was, nor could be forbidden to ſpeake of it. For the Article being propoſed to be diſcuſſed, whether it be hereticall or no, it is neceſſary to underſtand whether it be againſt faith, againſt which it cannot be, if it doe not repugne to the Law of GOD. He ſaid he knew not whence the report came, that one might not ſpeake of it, becauſe, by the very propoſition of the Article, it was commanded to be diſcuſſed. And here he proceeded to handle, not the ſuperiority alone, but the inſtitution alſo, affirming that Biſhops are inſtituted by CHRIST, and by his divine ordination, ſuperiours to Prieſts. He ſaid that if the Pope be inſtituted by CHRIST, becauſe he hath ſaid to *Peter*, *I will give thee the keyes of the Kingdome*, and, *Feed my Lambes*; Biſhops are likewiſe inſtituted by him, becauſe he hath ſaid to all the Apoſtles, That which you binde on earth ſhall be bound in heaven, and whoſe ſinnes you remit they are remitted, ſaying to them afterwards, Goe into the whole world, and preach the Goſpel. And (which is more) he ſaid unto them, As my father hath ſent me, ſo I ſend you. And if the Pope be ſucceſſor of S. *Peter*, the Biſhops are ſucceſſors of the Apoſtles; alleadged many authorities out of the Fathers, that the Biſhops are ſucceſſors of the Apoſtles. And, in particular, he recited a long diſcourſe of S. *Bernard* in this point to *Eugenius* the Pope; and a place of the Acts of the Apoſtles, where S. *Paul* ſaith to the Epheſians, that they were *made Biſhops by the holy Ghoſt to governe the Church of God*. He added, that to be confirmed or created by the Pope, did not conclude that they were not inſtituted by CHRIST, or had not authority from him. For the Pope himſelfe is created by the Cardinals, and yet hath his authority from CHRIST: and Prieſts are created by the Biſhop, who doth ordaine them, but receive their authority from GOD: So the Biſhops receive their Dioceſſes from the Pope, and authority from CHRIST. Their ſuperiority over Prieſts he proved to be *jure divino*, by authority of many Fathers, who ſay that Biſhops do ſucceed the Apoſtles, and Prieſts the ſeventy two diſciples. Concerning other particles of this point, he ſaid the ſame things which others had ſpoken before, Cardinal *Simoneta* was impatient, and turned often to his Colleagues, and was about to interrupt the diſcourſe: which being entred into upon ſo good reaſon, and heard by the Prelates with ſuch attention, he knew not how to reſolve.

The inſtitution of Biſhops is diſcuſſed.

Which vexeth Cardinall *Simoneta*.

After

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After him followed *Antonius Groſſetus*, a Dominican Friar, who, having briefly paſſed over the other Articles, inſiſted upon this. He ſtood much upon the words of Saint *Paul* ſpoken to the *Epheſians* in *Miletum*, exhorting them to have a care of the flocke; over which the holy Ghoſt had made them overſeers: upon which place he made many obſervations. He ſaid it was firſt neceſſary to declare that Biſhops have not commiſſion for their office from men, for ſo they would be hirelings, to whom the Lambes do not belong, becauſe the man, who had committed the care unto them, being ſatisfied, they had no more to thinke on. But Saint *Paul* ſheweth that the commiſſion to governe the people of GOD is divine, given by the holy Ghoſt, to conclude that they could not be excuſed by any diſpenſation of man. He alleadged the famous paſſage of Saint *Cyprian*, that every Biſhop is bound to give an account of CHRIST only. Then he added that the Biſhops of *Epheſus* were not of thoſe who were inſtituted by Chriſt our LORD, while he was in the fleſh, but by Saint *Paul* or ſome other Apoſtle, or diſciple; yet no mention is made of the ordainer, but all is attributed to the holy Ghoſt, who hath not given authority to governe, but divided a part of the flocke, and conſigned it to be fed. And here he made an invective againſt thoſe, who a few dayes before, ſaid that the Pope doth diſturbe the flocke, inculcating that it was not well ſpoken, and that it would bring againe into uſe that which Saint *Paul* did deteſt; *I am of Paul, and I am of Apollo.* He ſaid the Pope was the miniſteriall Head of the Church, by whom CHRIST, the principall Head doth worke, unto whom alſo the worke ought to be aſcribed, ſaying according to Saint *Paul*, that the holy Ghoſt doth give the flocke to be governed. For the worke is never aſcribed to the inſtrument or miniſter, but to the principall Agent; that this forme of ſpeech hath alwayes beene uſed by the Ancients, that GOD and CHRIST doe provide the Church of governours; that Saint *Paul* wrote to the *Epheſians*, that CHRIST, aſcending to heaven, hath furniſhed the Church with *Apoſtles*, *Evangeliſts*, *Paſtors*, and *Maſters*, ſhewing plainely that he did provide *Paſtors* after he was aſcended into heaven, and that the inſtitution of *Paſtors* and *Maſters*, in which number Biſhop are, ought as much to be aſcribed unto CHRIST, as unto the *Apoſtles* and *Evangeliſts* themſelves. The Theologue perceived that he diſpleaſed the Legats, and ſome more beſides; and fearing ſome bad incounter, as had happened upon other occaſions, he added that hee had ſpoken without premeditation, being carryed along by conſequence of words; and heat of diſcourſe, not remembring that that point was forbidden to be ſpoken of. And entring againe to examine the proper offices of Biſhops, and contradicting the Lutherans, who helde them for ſuperfluous, ſhewing they have been very ancient in the Church, and come from Apoſtolicall tradition, he concluded. The Legats perceiving that this was the Art of *Granata*, and the other *Spaniards*, to give the Prelates a field to enlarge themſelves in this matter. Therefore they tooke order that the contrary opinion ſhould be defended by ſome of the foure Prelates, who only remained to ſpeake the next day; and the Popes Prelates, uſed to this Art, were prepared to contradict the Spaniſh Biſhops, if they had begun to ſpeake of this matter in the Congregations.

Antonius Groſſetus excuſeth himſelfe.

The

The next day, the ſecond of October, two Divines went about to prove that as the ſuperiority of Biſhops was certaine, ſo it was hard to be decided *quo jure*, and in caſe it were, would be of no fruit; and therefore was to bee omitted. Two others maintained, that it was *de jure Pontificio*. And Friar *Simon*, a Florentine, and a Divine of *Seripando*, diſcourſed, according to the opinion of *Cajetanus* and *Catharinus*, in this forme; that Biſhops are inſtituted by CHRIST, to governe the Church; that his Majeſty did create Biſhops all the *Apoſtles*, when he ſaid, I ſend you, as I have beene ſent by the Father; that this inſtitution was perſonall, and ended with them; that one of them was conſtituted, to remaine perpetually in the Church, which was *Peter*, when he ſaid, not to him alone, but to all his ſucceſſion, *Feed my lambes*; that Saint *Auſtin* did meane ſo when he ſaid, that *Peter* did repreſent the whole Church, which was never ſpoken of any of the other Apoſtles, that Saint *Ciprian* ſaid that Saint *Peter* is not only a Type and figure of the unity but that the unity doth begin from him. In this power, given only to *Peter* and his ſucceſſors, the care of governing the Church is contained, and of ordaining other *Rectors* and *Paſtors*, not as Delegates, but as Ordinaries, dividing particular Provinces, Cities, and Churches. Therefore when it is demanded, whether any Biſhop be *de jure divino*; one muſt anſwer affirmatively, One only, the ſucceſſor of *Peter*. Beſides, the degree of a Biſhop is *de jure divino*, ſo that the Pope cannot take order that there may be no Biſhops in the Church, but every particular Biſhop is *De jure Pontificio*. Whence it commeth that he may create and tranſlate them, diminiſh or enlarge their Dioces, give them more or leſſe authority, ſuſpend them alſo and deprive them which he cannot do in that which is *de jure divino*. For from a *Prieſt*, he cannot take away authority to conſecrate, becauſe he hath it from *Chriſt*, but may take juriſdiction from a Biſhop, becauſe he hath it from himſelfe. And thus the famous ſaying of *Cyprian* muſt be expounded; there is but one Biſhopricke, and every Biſhop holdeth a part thereof *in ſolidum*; otherwiſe, it cannot bee defended that the governement of the Church, is the moſt perfect of all, that is Monarchicall, and muſt neceſſarily fall into an *Holigarchie*, which is the moſt imperfect, and condemned by all thoſe who write of government. Hee concluded, that *quo jure* Biſhops are inſtituted, by the ſame they are ſuperiour to Prieſts, and that, when this matter is to bee diſcuſſed, the declaration is to bee made thus. Hee alleadged Saint *Thomas*, who ſaith, in many places, that every ſpirituall power dependeth on that of the Pope, and that every Biſhop ought to ſay, I have received part of that fulneſſe. He ſaid that the old ſchoolmen were not to be regarded, becauſe none of them had handled this matter; but the Modernes, having after that the hereſie of the *Waldenſes* aroſe, ſtudied the Scripture and the Fathers, have eſtabliſhed this trueth. The laſt Divine laboured to contradict him, in that he ſaid the *Apoſtles* were ordained Biſhops, ſaying, when he ſent them, as himſelfe was ſent by the Father, that he ſent them to preach, and to baptize, which belongeth not to a Biſh. but to a *Prieſt*, and that only *Peter* was ordained a Biſhop by *Chriſt*, who after the aſcenſion, ordained the other Apoſtles Biſhops. Concerning the other parts of this Article, and the next, they all agreed to condemne them.

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And

1562 And so the Congregations of the Theologues were concluded.

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After which the Legates, being obliged to propose the reformation, considering with themselves what particulars might be proposed not prejudiciall, and yet might give satisfaction, were much troubled. For that which would be gratefull to the Ambassadors, would damnifie the Court, and distaste the Bishops, neither could they meddle with any thing that would please the Bishops, which would not be prejudiciall to *Rome*, or the Princes. Their resolution was to dispatch a Currier to the Pope, and expect an answer, and in the meane time, to draw the businesse in length, by making the Prelats speake in the matter of *Order*. In particular, they gave his Holinesse an account of the contention which they did foresee, concerning the Article of the superiority of Bishops, in regard of the petition made by the Spanish Prelats, and the entrance made by their Divines. And howsoever they knew not their end, yet, observing how earnest their request was, and knowing how the Spaniards doe usually ayme at things farre off, they could not choose but suspect. They put him in minde that this was the time in which they promised to speake of residence; whereof some motion was made already. For the Archbishop of *Mesina* demanded of those of *Cyprus* and *Zara*, what their opinion would be, in case it were proposed, and many practises were discovered, though they were not able to penetrate the ground of them. That they gave order to *Otranto* and *Ventimiglia*, to learne cunningly of what opinion the Prelats would be in case they proposed to refer it to his Holinesse; who, having sounded them exactly, found that 60 would be rigidly opposite, of whom there was but small hope that they could possibly be perswaded. For whosoever the Secretary of the Marquisse had, at their instance, dealt effectually with the Spaniards, yet hee brought from them no more than this, that they would not oppose with bitternesse, but deliver their opinions quietly, and without clamour. That they knew the *major* part were of the contrary opinion, because they depend on *Rome*; but they ought to disburden their conscience. That they were assured that this was not contrary to his Holinesse, of whose religious and godly disposition they could not doubt, but unto the Bishops only who are about him. They added, that the Spaniards, having discovered that there was a purpose to remit the businesse to his Holinesse, said the same was done in the matter of the Chalice, and that it was in vaine to hold a Councell to handle that which was of no importance, and to referre that which deserveth provision. They advised him of the promise made to the Ambassadors, to propose the reformation, and of the impossibility to deferre it any longer, and being advertised of the comming of *Loraine*, and the Frenchmen, and understanding that they were full of conceits, and designes of novity, they concluded that they would undoubtedly joyne with the malcontents of *Trent*. Therefore not knowing, in these ambiguities, what course to take, they told him they had resolved to expect the commandements of his Holinesse.

The Legats demanded of the Pope by letters what they shall do concerning the reformation.

With whose advertisements and others his Holinesse is much troubled

The Pope being advised, at the same time, from other places of the projects of *Loraine*, and particularly, that he would reforme the election of the Popedome, that the *Ultramontans* might also bee partakers of it, it pierced deeply

deeply into his minde. Therefore reſolving not to expect the blow, but to prevent, he informed all the Italian Princes hereof, ſhewing them what a diſhonour it would be to the Nation, if it ſhould ſucceed; that he ſpake not for himſelfe, whom it did not concerne, but for publike reſpects, and for the love of his Countrey. And knowing that a Spaniſh Pope could not be acceptable to the King of *Spaine*, in regard of the naturall propenſion that Clergy hath, to free themſelves from the exactions of the King, and that a French-man would have pleaſed him leſſe becauſe of the enmity betweene the Nations, and that the greateſt part of his truſty friends were in *Italy*, he wrote unto his *Nuncio*, to communicate unto him the deſigne of the French-men, to make a Pope of their Nation, that, by his meanes, they may poſſeſſe *Naples* and *Milan*, to which they pretend right. And, not to be wanting on his part, that he might remove ſome of the foundations on which the Cardinall might build, which were the abuſes of the times paſt, lately revived, he made a Bull in this matter; which howſoever it contained only the proviſions formerly made by divers Popes, which were antiquitated, yet it might be ſaid there was no need of more reformation in that behalfe, becauſe the Bull did remedy all the inconveniences which happened, or, at the leaſt, tooke all ſtrength from them, ſo that it could not be pretended they were in force. And to him that would prognoſticate that it would not be obſerved, as others made before, it might be anſwered, that he who doth evill doth think ill, and that it is the duty of Chriſtian charity to expect good from every one. The Bull was dated the ninth of October 1562. Afterwards newes came, that many Congregations were held in *Spaine*, to make a generall reformation, and to give commiſſion to the Ambaſſadour, who was to go to *Trent*, to make the Spaniſh Prelates joyne, and aime all at one marke. The newes that the King would ſend another Ambaſſador did pleaſe neither the Pope nor the Legats. For the Marquis of *Peſcara* did much conforme himſelfe to the Popes will, and the miniſters he uſed were of *Milan*, much addicted to the perſon of his Holines and his kindred, and to Card. *Simoneta*, who imployed them in the Popes ſervice upon all occaſions. But the Count of *Luna*, who was deſigned to be ſent, had remained with the Emperor, and with the King of the *Romans*, and was very deare unto them, and had their projects imprinted in him. And they feared him the more becauſe there was a fame (and it was indeed ſo reſolved, though not effected) that he ſhould beare the name of the Emperors Ambaſſador, to avoid the difference of precedency with *France*, but really ſhould be Ambaſſador of the K. And the Pope did ſuſpect for many cauſes, the conjunction of thoſe Princes; eſpecially in regard of the K. of *Bohemia*, who, in divers things, had ſhewed he was averſe from him. And the nomination of the Count of *Luna* was more diſpleaſing to him, becauſe he could not come before the Diet of *Francfort* was ended, which being likely to laſt untill the end of the yeer, he conjectured the King had a purpoſe to prolong the Councel. But having received the laſt advice from the Legats, he was perplexed moſt of all, ſeeing the Prelates, even his owne alſo, were conſpired to make it longer, by means of unſeaſoable perſwaſions, howſoever their intereſts did require a quicke diſpatch. He cauſed the letters to be read in Congregation of the Cardinals, and

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1562 gave order that every one ſhould thinke of the beſt meanes rather to oppoſe an infinite of imminent difficulties, then to take away the preſent grievance, in regard the Councell the longer it continued the harder it was to be managed. Neither could any order be given from *Rome*, but, becauſe of the great diſtance, it was unſeaſonable before it came to *Trent*; a thing which in continuance of time would produce ſome great inconvenience. He complained that the *Ultramontans* did conſent to prolong it, for their proper intereſts; the Emperour to gratifie the Dutch-men, and to make his ſon King of the Romans; *France*, to make uſe of it, in caſe of compoſition with the *Hugonots*; and *Spaine*, to keep the Low-Countreys in hope. He repeated all the difficulties which aroſe from the divers intereſts of the Prelates in Councell, the aimes which were diſcovered in the Spaniards, and what was ſuſpected of the deſignes of the French-men, whoſe comming was expected.

Pius 4. Ferdinand

Elizabeth. Charles 9 Philip 2.

At this time, the French King ſent the Abbat of *Mante*, expreſly, to *Rome*, to give the Pope an account of his reſolution, to accept the Decrees of the Councell, and of the Cardinall of *Loraine* his going to *Trent*, accompanied with many Biſhops to propoſe the meanes to reunite Religion in his Kingdome; becauſe both himſelfe and his Counſell were of opinion, that none was more ſufficient for that charge, as well for learning as for experience. The Pope did ſeeme to be pleaſed with the reſolution, both in ſending the Cardinall, and in accepting the Decrees of the Councell. He promiſed the Legats and Fathers ſhould receive the French Prelates honorably and courteouſly, expecting their aſſiſtance in matters of Religion in which they were ſo much intereſted, eſpecially the Cardinall, who is the ſecond Eccleſiaſticall perſon in the world, not much inferiour to a Pope. He ſaid the Biſhops had diſcreetly handled the points of reformation, in the aſſembly of *Poiſi*, offering to cauſe the greater part of them to be confirmed by the Councell. He added, that he was forced to haſten the end of the Synode in regard of his great charge, which if it did continue long, he could not be able to continue in aſſiſting the King in his warre; ſo that he hoped hee would joyne with him to conclude it. The concluſion of his diſcourſe was, that hee had no authority in Councell, but to approove, or reject the determinations of it, without which they would be of no force, and that his purpoſe was to goe to *Bolonia* when the Councell was ended, and to aſſemble all the Fathers there, that he might know them, and thank them, and make the approbation. This French meſſenger gave the Pope alſo the letters of the Cardinall of *Loraine*, of the ſame tenor, with an addition of profers, to preſerve by all meanes, the authority of the holy Sea. The Pope aſked him in particular what the Cardinall meant to propoſe; but receiving only a generall anſwere, that is, neceſſary remedies for the Kingdome of *France*, he anſwered, to make the Cardinall bethinke himſelfe what to doe, that all ſhould be maturely adviſed on, every thing being decided in Councell by plurality of voyces.

The anſwere made to the Legats.

It was reſoved, in the Congregation of the Cardinals, to anſwer the Legats that they ſhould labour to conclude the Article of reſidence, before the comming of the French-men, and to referre it to the Pope, without any Decree, if it were poſſible; but if not, yet at the leaſt, with a Decree. If neither

ther could be obtained, then to make the declaration with rewards and punishments, not touching the point, whether it were *de jure divino*. That the Article of the institution of Bishops seemed difficult, and of great consequence, and therefore that they should procure that it should be remitted likewise; which incase they could not doe, yet they should inviolably observe not to suffer a determination to passe, that it was *de jure divino*. Concerning reformation, that his Holinesse was resolute that none should meddle with the Papacy, and Court, who already had made so many reformations, (which all the world did know) as that every disorder was redressed; and, if any thing remained, was willing to adde it; that, for all other matters, they should tell all men plainely that the Pope did remit the reformation freely to the Councel; and of those things which were proposed by the Imperialists, and decreed by the Frenchmen in *Poisi*, they should propose in Councell what they thought expedient, but not resolve, before they sent advice againe. 1562 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9 PHILIP 2.

The proposition, to finish the Councell, was esteemed by the congregation to be of greater moment; not because the necessity to doe it was not manifest, but because they saw not the meanes, in regard so many things did remaine to be handled, and that the Prelates could not be induced to speake briefly, nor to agree in their discourses; which things were necessary for a sudden dispatch, and, without them, it was impossible to conclude, but in a long time. To suspend it without consent of the Princes, seemed dangerous and scandalous, in regard of the advice, sent by the Legats, that the Ambassadors *de Ferriers* and *Five Churches* had said, that if the Councell were suspended they would not depart from *Trent*, nor suffer the Prelates, their adherents, to goe, before they had commission from their Princes. To have commission from them did require much time, because they would undoubtedly know one anothers mind, before they would answer. Therefore they knew not what to resolve in this matter, but to solicite the Legats, to dispatch the points, which remained to be handled. The comming of *Loraine* did trouble them more, being advised, from divers places, that, besides the businesse of the election of the Pope, he meant to propose many novities, about the collation of Bishoprickes, plurality of Benefices, and, which was of no lesse importance, the Communion of the Cup, marriage of Priests, and Masse in the vulgar tongue. And, presupposing he would not begin his journey before he had answere from the Abbat of *Mante*, sent by the King and himselfe, they gave counsell to recall the Cardinall of *Ferrara*, and to offer the legation of that Kingdome to *Loraine*, which they did thinke might stop him, because he so much desired to command that Clergie, that he had formerly plotted to make himselfe Patriarch in *France*; but if he came, that more Prelates ought to be sent to the Councel, and some Cardinals also, to counterpoise him. And the Cardinals *Bordissiera*, and *Navagero* were named. But this resolution was not then taken, because they feared that *Loraine* would disdaine, and take occasion to doe worse, and because it was not so well knowne whether these were able to make so great an opposition, as also because they were willing to know the opinion first of those who were in *Trent*, for feare of giving them distaste. They

The Cardinall of *Loraine* had a desire to be Patriarch in *France*.

1562 considered the charge which would increase, which was not fit to be indured, without great utility. Therefore they resolved to write to the Legats, not to suffer any the least discourse concerning the election of the Pope; which if they could not resist, yet they should not give any permission, but rather returne to *Rome*, lest they should prejudice the Colledge of Cardinals, and *Italy*.

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But, in *Trent*, the Deputies for composing the *Anathematismes* and doctrine, having considered the opinions of the Divines, made a draught; and put into it, that Bishops are superiors *jure divino*. For the Arch-bishop of *Zara*, and the Bishop of *Conimbria*, chiefe of the Deputies, were of that opinion. But the Legats did not permit it, saying, that nothing ought to be put into it which was not contained in the Articles; notwithstanding that it should be thought on, if the Fathers did desire it in the Congregations. The Spaniards therefore did immediatly resolve to desire it; and the Legates, understanding so much, gave order to their Prelates, who were wont to contradict, that, if this matter were proposed, they should bee silent, and not dispute, that they might not give the Spaniards occasion to reply, by which meanes the Congregations might be drawne in length, and inconveniences arise, which happened in the matter of residence, but if the instance were prosecuted by *Granata*, or others, the Cardinall *Varmiense* should interrupt them, answering that it was not a point to bee handled in Councell, because it was not controversed with the Protestants.

The Arch bi-shop of *Granata* discourseth concerning the institution of Bishops.

The thirteenth of October 1562. when the first Congregation of the Prelates was held, the Patriarchs and some Arch-bishops, having approved, in few words, the *Anathematismes*, as they were composed, the Arch-bishop of *Granata*, did so likewise concerning the six first Canons; in the seventh he desired it should be said, that Bishops, instituted *jure divino*, are superiours to Priests; saying, that he might with reason desire it, because it was proposed in this forme in the Councell, by Cardinall *Crescentius*, under *Julius* the third, and approved by the Synode. For witnesses he brought the Bishop of *Segovia*, who assisted, as a Prelate, in that Councell, and Friar *Octavianus Preconius*, of *Missina*, Archbishop of *Palermo*, who being not then a Prelate, was there as a Theologue. He said they must needes declare both of these two points, that is, that Bishops are instituted *jure divino*, and are *jure divino* superior to Priests, because it is denied by the heretikes: and he confirmed his opinion at large, with many reasons, arguments and authorities. He alleadged *Dionysius*, who saith, that the *Order* of Deacons is included in that of Priests, that of Priests in that of Bishops, and that of Bishops in that of Christ, who is Bishop of Bishops. He added Pope *Eleutherius*, who, in an Epistle to the Bishops of *France*, wrote, that Christ had committed the Church Universall to them. That *Ambrose*, upon the Epistile to the Corinthians, saith, that the Bishop holdeth the place of Christ, and is Vicar of the Lord. He added also the Epistle of *Cyprian* to *Rogatianus*, where he often repeateth that the Deacons are made by the Bishops, and the Bishops by God: and that famous place of the same Saint, that there is but one Bishopricke, and every Bishop holdeth a part of it. He said the Pope was a Bishop, others

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are, becauſe they are all brothers, ſonnes of one father, which is GOD, and of one mother, which is the Church. Therefore the Pope doth alſo call them brethren; ſo that if the Pope be inſtituted by CHRIST, ſo are the Biſhops alſo. Neither can it be ſaid that the Pope calleth them brethren in civility, or humility only, becauſe the Biſhops alſo, in the incorrupt ages, have called him brother. There are extant Epiſtles of *Cyprian* to *Fabianus*, *Cornelius*, *Lucius*, and *Stephanus*, Popes, where he giveth them the title of brothers; and of *Auſtine*, written in his owne name, and of the other Biſhops of *Africa*, in which the Popes, *Innocentius*, and *Bonifacius*, are likewiſe called brothers. But, which is moſt plaine, not only in the Epiſtles of thoſe two Saints, but of many others alſo, the Pope is called Colleague. And it is againſt the nature of a Colledge to conſiſt of perſons of divers kindes: and if there were ſuch difference, that the Pope ſhould be inſtituted by CHRIST, and Biſhops by the Pope, they could not be in one Colledge. In a Colledge there may be an Head; as in this Colledge of Biſhops the Pope is Head, but for edification only, and, as it is ſaid in Latine, *in beneficientem cauſam*. S. *Gregory* ſaith, in his Epiſtle to *Johannes Syracuſanus*, that when a Biſhop is in a fault he is ſubject to the Apoſtolike Sea, but otherwiſe, all are equall, by reaſon of humility; which Chriſtian humility is never ſeparated from the truth. He alleadged S. *Jerome* to *Evagrius*, that whereſoever a Biſhop ſhall be, whether in *Rome*, or in *Augubium*, or in *Conſtantinople*, or in *Rheggio*, all are of the ſame merit, and of the ſame Prieſt-hood, and all ſucceſſors of the Apoſtles. He inveighed againſt thoſe Theologues, who ſaid, that S. *Peter* had ordained the other Apoſtles Biſhops. He admoniſhed them to ſtudy the Scriptures, and to obſerve, that power to teach throughout all the world, to adminiſter the Sacraments, to remit ſinnes, to binde and looſe, and to governe the Church, is equally given to all: and finally, they are ſent into the world, as the Father hath ſent the Sonne. And therefore as the Apoſtles had authority, not from *Peter*, but from CHRIST, ſo the ſucceſſors of the Apoſtles have not power from the ſucceſſor of *Peter*, but from CHRIST himſelfe. He brought to this purpoſe the example of the tree, in which there are many branches, but one body only. Then he jeſted at thoſe Divines, who had ſaid, that all the Apoſtles were inſtituted by CHRIST, and made equall in authority, but that it was perſonall in them, and ought not to paſſe to their ſucceſſors, except that of S. *Peter*, asking them, as if they had beene preſent, with what ground, authority, or reaſon, they were induced to make ſuch a bold affirmation, invented within theſe fifty yeeres only, expreſſely contrary to the Scripture, in which Chriſt ſaid to all the Apoſtles, *I will be with you untill the end of the world*; which words becauſe they cannot be expounded of their particular perſons only, muſt be neceſſarily underſtood of the ſucceſſion of all; and ſo they have beene underſtood by all the Fathers and Schoolemen, to whom this new opinion is directly contrary. He argued, that, if the Sacraments be inſtituted by Chriſt, by conſequence the Miniſters of them are inſtituted alſo: and he that will ſay that the *Hierarchie* is *de jure divino*, and the chiefe *Hierarchie* inſtituted by his Majeſty, muſt ſay that the other *Hierarches* alſo have the ſame inſtitution. That it is a perpetuall doctrine of the Catholike Church, that *Orders* are given by the hand of Miniſters,

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nisters, but the power is conferred by God. He concluded that all these thing beings true and certaine, and denied by the heretiques, in many places, which the Bishop of *Segovia* had collected, it was necessary they should be declared, and defined by the Synode, and the contrary heresies condemned.

Cardinall *Varmiense* tooke occasion hence to interrupt him, saying, as they had agreed; that there was no controversie of this yea, that the *Confessionists* did maintaine the same. Therefore that it was superfluous, and unprofitable to put it in question, and that the Fathers ought not to dispute of any thing in which the Catholikes and heretiques doe agree. *Granata*, rising up, replied, that the *Augustane Confession* did not confirme this, but contradicted it, putting no difference betweene a Bishop and a Priest, but by humane constitution, and affirming, that the superiority of Bishops was first by custome, and afterwards by Ecclesiasticall constitution. And he demanded againe, that this definition might be made in the Councell, or the reasons and authority, alleadged by him, answered. The Cardinall replied, that the heretiques did not denie these things, but only did multiply injuries, maledictions, and invectives, against the present uses. And some other replies passing betweene them, *Granata*, full of disdaine and heat, said, he referred himselfe to the Nations.

After this, there being some tumult raised and appeased, they spake of the other points, receiving the things as they were proposed, some grounding themselves upon the saying of *Varmiense*, and some holding, that the Pope only is instituted *jure divino*, untill it came to the Arch-bishop of *Zara*; who said, it was necessary to adde the words (*de jure divino*) to condemne that which the heretiques say to the contrary, in the *Augustane Confession*. *Varmiense* said againe, that in that *Confession* the heretikes did not dissent in this; and *Zara* alleadging the place, and the words, the contention was so long, that the Congregation did end with it.

In the Congregations following, the opinions were divers also. In particular, the Arch-bishop of *Braga* demanded the same adjunct, saying, it could not be omitted. He proved at large the institution of Bishops *De jure Divino*, bringing reasons and arguments, like to these of *Granata*, and said, that the Pope could not take from Bishops the authority given them in their consecration, which doth containe in it the power not only of *Order*, but of jurisdiction also, because, in it, the people is assigned to him to be fed and governed, without which the Ordination is not of force; whereof this is a manifest argument, that to titular and portative Bishops a City is allotted, which would not be necessary if the Episcopall Order could subsist without jurisdiction. Besides, in giving the Pastorall, this forme is used, that it is a signe of the power which is given him to correct vices. And, which is of more importance, when the Ring is given him, it is said, that with it he doth marry the Church; and, in giving the Booke of the Gospell, by which the Episcopall Character is imprinted, it is said; that he must go to the people, committed to him: and in the end of the consecration, that prayer is said, *Deus omnium fidelium Pastor & Rector*: which since hath beene in the *Missals* appropriated to the Pope, by turning himselfe to God, and saying, that his

his will is, that the Bishop should governe the Church. Moreover, *Innocentius* the third said, that the spirituall mariage of the Bishop with the Church is a bond, instituted by God, not to be loosed by the power of man, and that the Pope cannot translate a Bishop, but because he hath speciall authority to doe it; all which things would be very absurd, if the institution of Bishops were *De jure Divino*. The Arch-bishop of *Cyprus* said, that it ought to be declared that Bishops are superiors to Priests *jure Divino*, but reserving the authority in the Pope. The Bishop of *Segovia*, adhering wholly to the conclusions and reasons of *Granata* made a long repetition of the places of the heretikes, where they deny the superiority of Bishops, and their institution to be *De jure divino*. He said, that the Pope is successour of *Peter*, so the Bishops are of the Apostles: and that it was plaine by the Ecclesiasticall History, and by the Epistles of the Fathers, that all Bishops gave an account one to another, of all that happened in their Churches, and received approbation thereof from others. The Pope did the same for the occurrences of *Rome*. He added, that the Patriarchs, when they were created, sent a circular Epistle to the others, to give them an account of their Ordination, and faith; which was as much performed by the Popes to others as by others to them, that if the power of the Bishops be weakned, that of the Pope is weakned also, that the power of *Order*, and jurisdiction, is given to the Bishops by God, and that the division of Dioceses, and the application of them to the parson proceedeth from the Pope. He alleadged an authority of *Anacletus*, that Episcopall authority is given in the Ordination, with the unction of the holy Chrisme; that the degree of a Bishop is as well an *Order* instituted by Christ, as the Priest-hood; that all Popes untill *Silvester*, have either professedly, or incidently sayd it is an *Order*, which commeth immediatly from God, that the words spoken to the Apostles, *Whatsoever yee shall bind on earth, &c.* give power of jurisdiction, which is necessarily conferred upon the Successors; that Christ did institute the Apostles with jurisdiction, and since that time the Church hath ever instituted Bishops in the same sort. Therefore this is an Apostolicall tradition, and, it being defined that points of faith are taken out of the Scripture, and Traditions, it cannot be denied that this of the Episcopall institution is an Article of faith; and the rather, because S. *Epiphanius*, and S. *Austine*, doe put *Arius* in the number of heretiques, for saying that Priests are equall to Bishops, which they would not have done if Bishops had not beene *de jure divino*.

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Fifty nine Fathers were of this opinion, and perhaps the number had been greater if many had not been ill at ease at that time, of a defluction of rheume, which did then generally raigne, and some others had not fained the same impediment, that they might be out of the crowde, and offend none, in a matter, handled with such passion; especially those, who for speaking what they thought in the matter of Residence, found they had incurred the displeasure of their Patrons; as also if Cardinall *Simoneta*, when he saw matters proceed so farre, had not used divers perswasions, employing herein *Johannes Antonius Facchinettus*, Bishop of *Nicastro*, and *Sebastianus Vantius*, Bishop of *Orvieto*; who perswaded, with much cunning, that the enterprise of the Spaniards was to shake off their obedience to the Pope, and that it would be an

Simoneta useth practises in the point of institution of Bishops.

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apoſtacy from the Apoſtolike *Sea*, to the great ſhame and damage of *Italy*, which hath no other honour above the Nations beyond the Mountaines, but that which it receiveth from the Papacy. *Five Churches* ſaid, it was fit that it ſhould be declared *quo jure* all the *Orders* and degrees of the Church are inſtituted, and from whom they receive authority. Some others adhered to him, and, in particular, *Pompeius Picholhomini*, Biſhop of *Tropeia*; who, making the ſame inſtance, added, that when all the degrees of the Church were handled, from the greateſt to the leaſt, and declared *quo jure* they were, he would deliver his opinion alſo concerning the degree of Biſhops, if the Legats would give leave. In this number ſome briefly adhered to the opinion of others who had ſpoken in this matter, and ſome amplified the ſame reaſons, and turned them into divers formes, ſo that it would be too long to make a narration of all the ſuffrages which are come into my hands.

That of *George Sincout*, a Franciſcan Friar, Biſhop of *Segna*, doth well deſerve to be repeated, who, adhering to *Granata*, ſaid, that he would never have beleeved that any could have doubted whether Biſhops are inſtituted, and have authority from Chriſt. For if they have it not from his divine Majeſty, neither can the Councell have any from him, which conſiſteth of BB. that it is neceſſary that a Congregation, though very populous, have their authority from whom the particular perſons have it, that if Biſhops are not inſtituted by CHRIST, but by men, the authority of them altogether is humane, and he who heareth it ſpoken, that Biſhops are not inſtituted by CHRIST, muſt needs thinke that this Synod is a Congregation of profane men, in which CHRIST doth not preſide, but a power received precarily from men, and ſo many Fathers would in vaine reſide in *Trent*, to their great charge and trouble, becauſe he who hath given the power to Biſhops, and the Councell, may, with more authority, handle the ſame things; and it would be a great illuſion generally of all Chriſtendome to propoſe it, not onely as the beſt, but as the onely and neceſſary meanes, to decide the preſent controverſies. He added, that he had been five moneths in *Trent*, with this perſwaſion, that never any would have doubted whether the Councell hath authority from GOD, and whether it may ſay as the firſt Councell of *Jeruſalem* did, *It ſeemed to the holy Ghoſt and to us*; that he would never have come to the Councell, if he had beleeved that CHRIST had not been in the midſt of it. Neither can any one ſay, that, where CHRIST aſſiſteth, the authority commeth not from him; that if any Biſhop ſhould beleeve and thinke his authority to be humane, it had beene great boldneſſe in him to denounce in the former difficulties, *Anathematiſmes*, and not rather referre all to him who hath greater authority. And if the authority of the Councell be not certaine, it was fit in the yeere 1545. when this was firſt aſſembled, that this matter ſhould have beene ſifted, and decided what the authority of Councels is, as is uſually done in places of juſtice, where, in the beginning of the cauſe, it is diſputed, and decreed whether the Judge be competent, leſt in the end, there be a nullity in the ſentence, for want of authority. The Proteſtants, who doe take all occaſions to detract from, and wrong this holy Synod, cannot have any more fit, than that it is not certaine of its owne

owne authority. He concluded, that the Fathers ſhould take heed what they did reſolve, in a point, which being reſolved truely, doth eſtabliſh all the actions of the Councell, and if otherwiſe, overthroweth all. 1562 PIUS 4. FERDINAND ELIZABETH. CHARLES. 9 PHILIP 2.

The nineteenth of October, all the Fathers made an end of ſpeaking in this matter, except Father *Laynez*, Generall of the Jeſuites; who, being to ſpeake laſt, did purpoſely abſent himſelfe that day, that he might have a whole Congregation for himſelfe alone. And to make the cauſe hereof underſtood, we muſt returne a little backe, and remember, that when the queſtion was ſet on foot in the beginning, the Legats thought that the aime was only to make great the authority of Biſhops, and to give them more reputation But before the ſecond Congregation was ended, they perceived, very late, by the voices given, and reaſons uſed, of what importance and ſequence it was. For it did deferre, that they keyes were not given to *Peter* only; that the Councell was above the Pope, and the Biſhops equall unto him, who had nothing left but a preeminence above others. They ſaw that the dignity of Cardinals, ſuperiour to Biſhops, was quite taken away, and that they remained meere Prieſts, or Deacons; that, by that determination, reſidence was inferred by a neceſſary conſequence, and the Court brought to nothing; that the preventions and reſervations were remooved, and the collation of Benefices was drawne to the Biſhops. It was noted that the Biſhop of *Segovia* had, a few dayes before, refuſed to admit one to a Benefice in his Dioceſſe, to whom it was given in *Rome*. And theſe things did ſtill appeare more plainely, as new ſuffrages were daily given, and new reaſons alleadged. For theſe cauſes the Legats did uſe the ſolicitations aforeſaid, for feare that more Italians would joyne with the Spaniards. Yet they were not able to prevail ſo much, but that almoſt the halfe were of that opinion. And the other Papalins reprehended the Legats, becauſe they foreſaw not what might happen, but ſuffered ſuch great prejudices to come upon them, ſaying, they proceeded by chance, and admitted not counſels and advertiſements of wiſe men; that, ſo ſoon as *Granata* delivered his ſuffrage, they were put in minde to uſe effectuall ſolicitations, which afterwards they were forced to uſe, when it was too late; that by their want of care (if not malice in ſome) matters have beene handled of the greateſt importance that can poſſibly happen in Councell. They added, that the Ambaſſador, *Lanſac* had, by many ſolicitations, uſed by divers of the Prelates, diſcovered himſelfe to be not only a favourer, but a promoter of that opinion; and conſidered what an addition would be made unto it, when the Frenchmen came, who were expected. And they ſpake ſo openly, that ſome words came to the eares of the Legats themſelves; who, ſeeing now the danger not foreſeene, thought (in regard the matter had proceeded ſo far, and ſo many had put themſelves on that ſide) that it was not fit to thinke of diverting the queſtion, but of finding a temper, to give the Spaniards ſome ſatisfaction. And, after long conſultation, they determined to compoſe the Canon, with theſe words; That Biſhops have the power of *Order* from GOD, and, in that, are ſuperior to Prieſts; not naming juriſdiction, for feare of making them ſuſpect. For, by ſuch a forme of words, it might be inferred, that the juriſdiction remained wholly in the Pope, without ſaying it.

Laynez ſpendeth a whole Congregation himſelfe. The importance of this point of the inſtitution.

They

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They ſent Father *Soto*, to treat with the Spaniſh Prelates, concerning this forme, not ſo much with hope to remoove any of them, as to penetrate to what they might be brought. *Granata* gave him audience, but no anſwere. He laboured with others alſo, and gained the reputation of a good Courtier of *Rome*, in ſtead of the other, of a good Friar, as he was before. And, to win ſome that wavered, and ſome who unadviſedly fell into that opinion, being otherwiſe devoted to the Pope, they reſolved to uſe ſolicitations unto them, that, underſtanding the difficulty, they might be content to referre it to his Holineſſe, or, at the leaſt, to ſpeak more ſparingly. To performe this, with the two aforenamed, they joyned the Archbiſhop of *Roſano*, and the Biſhop of *Ventimiglia*. And, that thoſe who would acknowledge their error might have colour to retire, they gave order that *Laynez* ſhould make an exact full Lecture on this matter; and, that it might be heard attentively, and make an impreſſion, they would not have him, as hath been ſaid, ſpeake after the others, in the end of the Congregation, but allowed him one wholly for himſelfe. Therefore the Jeſuites conſulted together concerning the opinion, and *Caveglione*, laboured more then the reſt. And, not to omit any good meanes of diverſion, they buſied the Prelates in another matter. For, to returne to the occurrences of that Congregation, after that the Generall of the *Servi* (who was the laſt) had given his voyce in conformity of the Spaniards, the Cardinall of *Mantua* admoniſhed the Fathers deputed for the *Index*, and ſhewed how important a buſineſſe they had in hand, in regard all ſubverſions doe ariſe, and all hereſies are ſpread, by meanes of bookes; he exhorted them to be diligent, and to let the Synod ſee the end of the work quickly; he ſaid he knew it required much paines and time, but conſidering withall that all the Fathers would contribute their labours to the aſſiſtance of the deputies, ſaying, that the Congregations were ſpent in handling queſtions of no profit, and a worke ſo neceſſary deferred. He exhorted in the end, that this particular in the *Index* might be concluded in the next Seſſion.

The diſcourſe of *Laynez*

The morning being come, *Laynez* ſpake more than two houres, very fitly, with great vehemence, and maſter-like. The argument of his diſcourſe had two parts; the firſt he ſpent in proving, that the power of juriſdiction was given wholly to the Biſhop of *Rome*, and that none in the Church beſides hath any ſparke of it, but from him; and the ſecond, in reſolving all the contrary arguments, uſed in the former Congregations. The ſubſtance was, that there is great difference, yea, contrariety betweene the Church of CHRIST, and civill ſocieties. For theſe have firſt their being, and then they frame their governement, and therefore are free, and all juriſdiction is originally in them which they do communicate to Magiſtrates, without depriving themſelves of it. But the Church did not make it ſelfe, nor its governement, but CHRIST, who is Prince and Monarch, did firſt conſtitute lawes, by which it ſhould be governed, and then did aſſemble it, and as the Scripture ſaith, did build it; ſo that it was borne a ſervant, without any kinde of liberty, power, or juriſdiction, and abſolutely ſubject. For proofe hereof, he alleadged places of the Scripture, in which the Congregation of the Church is compared to a ſowing, to the draught of a net, and to a building: and where it is ſaid that CHRIST came into the world to aſſemble his faithfull people,

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togather together his ſheepe, to inſtruct them, by doctrine and example. Then he added that the firſt and principall ground, upon which CHRIST built the Church, was *Peter* and his ſucceſſion, according to the words which he ſpake to him; Thou art *Peter*, and upon this rocke I will build my Church. Which rocke howſoever ſome of the Fathers have underſtood to be CHRIST himſelfe, and others the faith of *Peter*, or the confeſſion of his faith, yet the more Catholike expoſition is, that *Peter* himſelfe is underſtood, who, in the Hebrew and Syriacke, is called a ſtone. And, continuing his diſcourſe, he ſaid, that while CHRIST lived in the mortall fleſh, he governed the Church with an abſolute Monarchiall governement, and, being to depart out of this world, left the ſame forme, appointing, for his *Vicar* Saint *Peter* and his Succeſſors, to adminiſter it as he had done, giving him full and totall power and juriſdiction, and ſubjecting the Church to him, as it was to himſelfe. This he proved of *Peter*, becauſe the keyes of the Kingdome of heaven were given to him only, and, by conſequence, power to bring in, and ſhut out, which is juriſdiction. And to him alone it was ſaid; *Feede*, that is, *governe my ſheepe, animals*, which have no part or judgement in governing themſelves. Theſe things, that is, to be a Key-keeper, and a *Paſtor*, being perpetual offices, muſt be conferred upon a perpetuall perſon, that is, not upon the firſt only, but upon all his ſucceſſion. So the Biſhop of *Rome*, from S. *Peter* to the end of the world, is true and abſolute Monarch, with full and totall power and juriſdiction, and the Church is ſubject unto him, as it was to CHRIST. And as when his divine Majeſty did governe it, it could not be ſaid, that any of the faithfull had any the leaſt power or juriſdiction, but meere, pure, and totall ſubjection, ſo it muſt be ſaid, in all perpetuity of time, and ſo underſtood that the Church is a ſheepefold, and a kingdome; and that which Saint *Cyprian* ſaith, that there is but one Biſhopricke, and a part of it held by every Biſhop, is to bee expounded, that the whole power is placed in one *Paſtor*, without diviſion, who doth impart and communicate it to his fellow Miniſters, as cauſe doth require. And in this ſenſe Saint *Cyprian* maketh the Apoſtolique Sea like unto a root, an head, a fountaine, and the Sunne; ſhewing, by theſe compariſons, that juriſdiction is eſſentiall in that alone, and in others by derivation or participation. And this is the meaning of the words, ſo much uſed by antiquity, that *Peter* and the Pope have fulneſſe of power, and the others are of their charge. And that he is the only Paſtor, is plainely proved by the words of CHRIST, when he ſaid, he hath other ſheep which he will gather togeather, and ſo one ſheepfold ſhould be made, and one Shepherd. The Shepherd, meant in that place, cannot be CHRIST, becauſe he would not ſpeake in the future, that there ſhall be one Shepherd, himſelfe not being a Shepheard, and therefore it muſt be underſtood of another Shepherd, which was to be conſtituted after him, which can be no other but *Peter*, and his Succeſſors. And here he noted that the precept, *Feede the flocke*, is found but twice in the Scripture: once given by CHRIST to *Peter* only, *Feede my ſheepe*: againe by *Peter* to others, *Feed the flocke allotted to you*. And if the Biſhops had received any juriſdiction from CHRIST, it would be equall in all, and no difference betweene Patriarches, Arch-biſhops, and Biſhops; neither

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ther could the Pope meddle with that authority, to diminiſh or take it all away, as he cannot in the power of *Order*, which is from GOD. Therefore he adviſed them to beware, leſt, by making the inſtitution of Biſhops *de jure divino*, they doe not take away the *Hierarchie*, and bring in an *Oligarchie*, or rather an *Anarchie*. He added alſo that, to the end *Peter* might governe the Church well, ſo that the gates of hell might not prevaile againſt it, CHRIST, being neere unto his death, prayed effectually that his faith might not faile, and gave him order to confirme the brethren, that is, he gave him a priviledge of infallibility in judgement of faith, manners and religion, binding all the Church to heare him, and to ſtand firmely in that which ſhould be determined by him. He concluded, that this was the ground of Chriſtian doctrine, and the rocke upon which the Church was built. Then he cenſured thoſe who held there is any power in Biſhops received from CHRIST, becauſe it would take away the priviledge of the Roman Church, that the Pope is the Head of the Church and Vicar of CHRIST. And it is very well knowne what is conſtituted by the olde Canon, *Omnes ſive Patriarchæ, &c.* that is, that he who taketh away the rights of other Churches committeth injuſtice, and he that taketh away the priviledges of the Church of *Rome* is an heretike. He ſaid it was a meere contradiction to ſay the Pope is Head of the Church and the governement Monarchiall, and then ſay that there is a power or juriſdiction not derived from him, but received from others.

In reſolving the contrary arguments, he diſcourſed that, according to the order inſtituted by CHRIST, the Apoſtles were ordained Biſhops, not by CHRIST, but by Saint *Peter*, receiving juriſdiction from him only; and many Catholike Doctors doe hold that this was obſerved; which opinion is very probable. But the others who ſay the Apoſtles were ordained Biſhops by CHRIST, doe adde, that his divine Majeſty in ſo doing, did prevent the office of *Peter*, by doing, for that one time, that which belonged to him, giving to the Apoſtles that power which they ought to receive from *Peter*, even as God took ſome of the ſpirit of *Moyſes*, and divided it amongſt the ſeventy Judges. So that it is as much as if they had beene ordained by, and received authority from *Peter*; who therefore did remaine ſubject unto him, in reſpect of the places where, and the manner how to exerciſe the ſame. And howſoever it is not read that *Peter* did correct them, yet this was not for want of power, but becauſe they did exerciſe their charge aright. And he that ſhall reade the renowned and famous Canon, *Ita Dominus*, will aſſure himſelfe, that every good Catholike ought to defend, that the Biſhops, ſucceſſors of the Apoſtles doe receive all from *Peter*. He obſerved alſo, that the Biſhops are not ſucceſſors of the Apoſtles, but only becauſe they are in their place, as one Biſhop ſucceedeth another, not becauſe they have beene ordained by them. To thoſe who inferred, that therefore the Pope might refuſe to make Biſhops, and ſo himſelfe remaine the only man, he anſwered, it was Gods ordination there ſhould be many Biſhops in the Church, to aſſiſt him, and therefore that he was bound to preſerve them: but there is a great difference to ſay a thing is *de jure divino*, or that it is ordained by God. Thoſe *de jure divino* are perpetuall, and depend on God alone, both in gene-

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rall, and in particular at all times. So Baptiſme, and all the Sacraments are *de jure divino*, in every one of which GOD hath his particular worke, and ſo the Pope is from GOD. For when the Pope doth die, the keyes do not remaine to the Church, becauſe they are not given to it, but a new Pope being created, GOD doth immediatly give them unto him. Now it is not ſo in things of divine ordination, in which the generall only proceedeth from GOD, and the particulars are executed by men. So Saint *Paul* ſaith, that *Princes and temporall powers are ordained by God*, that is, that the generall precept, that there ſhould be Princes, commeth only from him, but yet the particulars are made by the civill Lawes. After the ſame manner, Biſhops are by divine ordination, and Saint *Paul* ſaith they are placed by the holy Ghoſt, to governe the Church, but not *de jure divino*. Therefore the Pope cannot take away the generall order of making Biſhops in the Church, becauſe it is from God, but every particular Biſhop, being *de jure Canonico*, may be removed by the Popes authority. To the oppoſition that then the Biſhops would be *Delegati*, and not *Ordinarij*, he anſwered, that there was one juriſdiction fundamentall, and another derived; and the derived is either delegate, or ordinary. In civill Common-wealths the fundamentall is in the Prince, and the derived in all the Magiſtrates: neither are the Ordinaries different from the Delegates becauſe they receive authority from divers perſons, yea, all do equally derive from the Soveraignty, but the difference ſtandeth, becauſe the Ordinaries are by a perpetuall law, and ſucceſſion, and the others have a particular authority, either in regard of the perſon, or the caſe. Therefore the Biſhops are Ordinaries, becauſe they are made by the Popes law a dignity of perpetuall ſucceſſion in the Church. He added, that thoſe places where authority ſeemeth to be given to the Church by CHRIST (as theſe, that *it is a pillar and foundation of truth, that he who will not heare it, ſhall be eſteemed an Heathen and a Publicane*) are all underſtood in regard of its Head, which is the Pope, and therefore the Church cannot erre, becauſe he cannot, and ſo he that is ſeparated from him who is Head of the Church, is ſeparated alſo from the Church. To thoſe who ſaid the Councell could not have authority, if none of the Biſhops had it, he anſwered, that this was not inconvenient, but a very plain and neceſſary conſequence, yea if every particular Biſhop in Councel may erre, it cannot be denied that they may erre altogether; and if the authority of the Councell proceeded from the authority of Biſhops, it could never be called generall, becauſe the number of the aſſiſtants is alwaies comparably leſſe than that of the abſent. He told them, that in this Councell, under *Paul* the third, principall Articles were defined, concerning the Canonicall Books, interpretations, parity of Traditions with the Scriptures, by a number of five, or a leſſe; all which would fall to the ground if the multitude gave authority. But as a number of Prelates, aſſembled by the Pope to make a generall Councell, be it how ſmall ſoever, hath the name and efficacy to be generall from the Pope onely, ſo alſo it hath its authority; ſo that if it doth make Precepts or *Anathematiſmes*, neither of them are of force but by vertue of the Popes future confirmation. And when the Synode ſaith, that it is aſſembled in the holy Ghoſt, it meaneth that the Fathers are congregated, according

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He prooveth that the Pope is above the Councell.

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to the Popes intimation, to handle that, which, being approoved by him, will be decreed by the holy Ghoſt. Otherwiſe how could it be ſaid that a Decree was made by the holy Ghoſt, and could be made to be of no force by the Popes authority, or had need of greater confirmation. And therefore in the Councels, be they never ſo frequent, if the Pope be preſent, he only doth decree, neither doth the Councell any thing but approove, that is receive the Decrees; and therefore it hath alwayes beene ſaid; *Sacro approbante concilio*, yea, even in reſolutions of the greateſt weight (as was the diſpoſition of the Emperour *Frederic* the ſecond, in the generall Councell of *Lions*) *Innocentius* the fourth, a moſt wiſe Pope, refuſed the approbation of the Synode, that none might thinke it to be neceſſary, and thought it ſufficient to ſay, *Sacro præſente concilio*. And for all this the Councell cannot be ſaid to be ſuperfluous, becauſe it is aſſembled for better inquiſition, for more eaſie perſwaſion, and to give ſatisfaction to men. And when it giveth ſentence, it doth it by vertue of the Popes authority, derived from God. And for theſe reaſons, the good Doctors have ſubjected the Councels authority to the Popes, as wholly depending on it, without which it hath not the aſſiſtance of the holy Ghoſt, nor infallibility, nor power to binde the Church, but as it is granted by him alone, to whom Christ hath ſaid, *Feed my ſheepe*.

The cenſure of this diſcourſe.

There was not any diſcourſe in this Councell more praiſed and diſpraiſed, according to the affections of the hearers. The Papalins ſaid it was moſt learned, reſolute, and ſubſtantiall, others did condemne of flattery, and ſome of hereſie: and many made it known they were offended by his ſharpe cenſure, and that they purpoſed in the Congregation following, to confute him upon all occaſions, and to note him of ignorance, and temerity. The Biſhop of *Paris*, who was ſicke at home when he ſhould have given his voice, told every one that, when a Congregation was held, he would deliver his opinion againſt that doctrine, without reſpect, which not being heard in former ages, was, within theſe fifty yeeres, invented by *Cajetan*, to gaine a Cap; that in thoſe times it was cenſured by the *Sorbone*; that, in ſtead of a celeſtiall Kingdome (for ſo the Church is called) it maketh it not a Kingdome, but a temporall tyranny; that it taketh from the Church the title of the *Spouſe* of Christ, and maketh it a ſervant, proſtituted to a man. He will have but one Biſhop inſtituted by Christ, and the others not to have any authority but dependant from him, which is as much as to ſay, that there is but one Biſhop, and the other are his Vicars, to be remooved at his pleaſure. He ſaid this ſhould excite all the Councell, to thinke how the Epiſcopall authority, ſo much debaſed, might be kept alive, and that it may not come to nothing; becauſe every new Congregation of Regulars which doth ariſe, doth give it a great ſhake. The Biſhops have held their authority intire untill the yeere 1050. when it received a great blow by the *Cluniacenſian* and *Ciſtercienſian* Congregations, and others who aroſe in that age, becauſe many functions, proper and eſſentiall to Biſhops, were, by their meanes reduced to *Rome*. But when the *Mendicants* beganne after the yeere one thouſand two hundred, almoſt all the exerciſe of Epiſcopall authority was quite taken away, and given to them, by priviledge. Now this new Congregation, borne but the other day, which is neither ſecular nor regular (as

(as the Univerſity of *Paris* did well obſerve eight yeeres ſince, knowing it was dangerous for matter of faith, a perturber of the Churches peace, and fit to deſtroy Monaſticall life) to go beyond their predeceſſors, doth labour to take away all juriſdiction of Biſhops, by ſaying it is not given them by GOD, and that they ought to acknowledge that they have received it precarily from men. The Biſhop having repeated theſe things to divers men, mooved many to thinke of the matter, who before did not regard it. But thoſe that were ſeen in Hiſtories did ſpeake no leſſe of that obſervation, *Sacro præſente Concilio*: which being in all the Canonicall Textes, ſeemed new unto them all, becauſe they had not marked it. And ſome approoved the Jeſuites interpretation, and ſome, on the contrary, ſaid that the Councell had refuſed to approove that ſentence. Some proceeded another way, ſaid, that the queſtion being of a temporall matter, and worldly contentions, the buſineſſe might paſſe either one way or other; but that no conſequence could be drawne from hence, that the ſame might be done in matter of faith, or Eccleſiaſticall Rites, eſpecially it being obſerved, that, in the Councell of the Apoſtles, which ought to be a rule and paterne, the Decree was not made by *Peter*, in preſence of the Councell, nor by him with approbation, but the Epiſtle was intitled with the names of the three degrees, aſſiſting in that Congregation, Apoſtles, Elders, and Brothers, and *Peter* was included in the firſt, without prerogative. An example, which in regard of antiquity, and divine authority, is of more credit then all thoſe of the times following, yea then altogether. And, for that day, in reſpect of theſe other points, the diſcourſe of the Jeſuite gave matter of talke throughout all *Trent*, and nothing elſe was ſpoken of. 1562 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9 PHILIP 2.

The Legats were not pleaſed that this remedy, applied for a medicine, did worke a contrary effect, perceiving that, in the Congregations, the voyces would be longer in giving; neither did they know how to hinder it. For that Father having ſpoken more then two houres, it did not appeare how he that could contradict him could be interrupted, eſpecially it being in his owne defence. And underſtanding that *Laynez* enlarged his diſcourſe, with purpoſe to publiſh it, they forbade him to impart it to any, that others might not take occaſion to write againſt it, obſerving what miſchief ſucceeded, becauſe *Catharinus* publiſhed his opinion concerning Reſidence, whence all the evill did ſpring, which ſtill continueth ſtronger then ever. But he could not forbeare to give copies to ſome; as well to honour himſelfe, and oblige the Papalins to his ſociety, then riſing, as alſo to moderate in writing ſome particulars, delivered with too much petulancy. Many did make preparation to write againſt him; and his motion continued untill the French-men came, who cauſed this difference to be forgotten, by bringing in others more conſiderable, and important. Yet the Papalins continued their counſels againſt the Spaniards, and their practiſes with the Prelates, whom they thought they might winne. And a Spaniſh Doctor, called *Zanel*, did fitly offer himſelfe to the Legats, and propoſed meanes to put the Prelates of that nation upon their defence, and give them ſomething elſe to thinke on. And he propoſed to them thirteene points of reformation which did touch them at the quicke. But they could not hence gather

The comming of the French men hindered the anſwering of it.

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the fruit they expected, becauſe thoſe reformations required others alſo belonging to the Court, which made them deſiſt, leſt, according to the Proverbe, by taking one eye from their adverſaries, they might looſe both their owne. The practiſes were ſo manifeſt, that, in a banquet of many Prelates in the houſe of the French Ambaſſadours, diſcourſing of the cuſtome of ancient Councels, not obſerved in this, that the preſidents of the Synod, and the Ambaſſadours of Princes delivered their voyces, *Lanſac* ſaid aloud, that the Legats gave auricular voyces; and was well underſtood by all that he meant their practiſes.

The Legats give auricular voyces.

When theſe Congregations were held, *Five Churches* preſented the Emperours letters to the Legats; who wrote unto them, that, having ſatisfied themſelves in publiſhing the Canons of the ſacrifice of the *Maſſe*, they would forbeare to proceed in the Sacrament of *Order*, and *Matrimony*, and handle the matter of reformation in the meane while, referring to their wiſdome to handle what part pleaſed them beſt, of thoſe things which were propoſed to them, in his name. *Five Churches* ſpake in conformity of the letter, and made the ſame requeſt, that, the matter of *Order* being ſo farre proceeded in, they would, at the leaſt, forbeare to handle that of *Marriage*, that, in the meane ſpace, the Emperour might induce the Germanes in the Diet to go and ſubmit themſelves to the Councell. For ſo long as the Dutch and French-men continue in their reſolution, not to go to it, nor acknowledge it, the Fathers doe in vaine abide there, to their great coſt and incommodity; and when his Majeſty ſhall ſee they cannot be perſwaded, he will procure a ſuſpenſion of the Councell, thinking it will be a greater ſervice to God, and benefit to the Church, to leave matters undecided, and in the ſtate they are, expecting a more fit time for the converſion of thoſe who are ſeparated, then by precipitating, (as hath beene done untill that time) the decision of controverſies, in abſence of thoſe who have put them in diſputation, to make the Proteſtants irreconciliable, without any benefit of the Catholikes; ſaying, that, in the meane while, they might treat of the Reformation, that the Eccleſiaſticall goods may be diſtributed to perſons of deſert, and all have part of them, and the revenues may be well diſpenſed, and the part belonging to the poore not uſurped by any; and ſuch other things. In the end, he demaunded of them, whether, the Count of *Luna* comming with the title of the Emperours Ambaſſadour, the difference betweene *Spaine* and *France* for precedence will ceaſe. The Legats anſwered to this laſt, that they did not ſee what pretence the Frenchmen could have to contend; and, for the reſt, they ſaid they could not forbeare to handle the points of doctrine, but that, with them, they would handle the Reformation effectually, according to the order ſet downe by the Synode. They commended the Emperours intention to deſire the Proteſtants to ſubmit, but added, that, for this hope, the Councell ought not to be prolonged. For the Emperour *Charles*, in the Papacy of *Julius* the 3. made meanes for the ſame, and obtained it alſo; but the Dutchmen proceeded with diſſimulation, to the damage of the Church, and of the Emperour himſelfe. Therefore it was not fit the Councell ſhould change its pace, before the Emperour was aſſured of the intentions of the Princes and people, aſwell Catholike as Proteſtant, and what kinde of obe-

The Emperour deſireth that the doctrine may be deferred, and only the reformation handled.

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dience they will yeeld to the Decrees made already, and to be made in this Councell and in the former, requiring the obſervation of the Synode, with authenticall *Mandats* of the Provinces and Princes, and obligation from them for the execution of the Decrees, that their coſt and labour may not be in vaine, and laughed at. And in conformity hereof they anſwered the Emperour. 1562. PIVS 4. FERDINAND. ELIZABETH. CHARLES 9 PHILIP 2.

A Congregation was held the 25 of October, to receive *Valentinus Erbutus*, Biſhop of *Premiſa*, Ambaſſador of *Polonia*, who made a ſhort ſpeech concerning the Kings devotion, the tumults of the Kingdome about religion, the neceſſity of a good reformation, the uſing of ſome remiſſion in yeelding to the deſires of the people, in matters which are *de jure poſitivo*. The *Speaker* anſwered in the Synods name, thanking the King and the Ambaſſadour and offering to give aſſiſtance in all the occaſions of that Kingdome. The Legats did not permit that any thing elſe ſhould be handled in that Congregation, for the cauſe which ſhall be related. The Ambaſſador of *Polonia* is received.

The Court in *Rome*, and the Popes Miniſters in *Trent*, were no leſſe troubled with the Spaniards, and their adherents in Councell, then with the expectation of the comming of *Loraine*, and of the French-men; with which they were not ſo much moved, ſo long as there was hope that ſome rubbe might ſtop them, as after that certaine newes came that they would keepe the day of *All Saints* with the Duke of *Savoy*. The Cardinall, either vainly or of purpoſe, made it knowne at the French Court, before he parted, and in many places in the journey, that he would handle divers things in diminution of the Popes authority and commodities of the Court, which being reported divers wayes, both in *Rome* and *Trent*, made an impreſſion in both places, that the generall intention of the French-men was, to prolong the Councell, and, according to occaſions, to diſcover, and put in practiſe their particular deſignes: and they had conjectures to make them beleeve, that it was not without the knowledge of the Emperor, and of other Princes and Lords of *Germany*. And howſoever they were aſſured, that the Catholique King held not full intelligence with them, yet they had ſtrong arguments to make them beleeve, that his deſſigne was to prolong the Councell, or, at the leaſt, not to ſuffer it to end. To croſſe this purpoſe, they determined to propoſe the abuſes of the Kingdome of *France*, and to let the Ambaſſadours underſtand that they would make proviſion for them; because all Princes, who deſire a reformation of the Church, would not willingly endure any at all of themſelves, ſo that they thought, that if any matter of importance were handled to their prejudice, they would forbeare, and make their Prelates forbeare alſo to ſpeake of things prejudiciall to the Apoſtolike Sea. Therefore after ſome packets had paſſed betweene *Rome* and *Trent*, it being judged a good courſe, the abuſes were collected, which were ſaid to be principally in *France*, and partly in other Dominions. And hence the reformation of Princes began, which, in the relation of the things that follow; will affoord us much matter. The comming of the French Prelates doth much trouble the Pope and Court. How the reformation of Princes began.

Beſides, in *Rome* it was thought to be a good remedy, that the Legats ſhould bridle the tranſcendent boldnes of the Prelates, uſing their authority and ſuperiority, more then they had done. And, in *Trent*, it was thought to

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be a good course, to keepe the Prelates, their adherents, united, well edified, and satisfied. For howsoever the voyces of the contrary part might encrease, yet they should ever exceed in number, and be Lords of the resolutions. And they thought fitt also to proceed to finish the Councell, or suspend, or translate it. They wrote also, and made many of the Popish Prelates to write to their friends and Patrons in *Rome*, that there could be no better resolution or provision, then to give occasion, (which might easily be done) that some Prince might desire the *suspension*, not suffering any to slip: and, for this end, they demanded divers *Brieves* to be sent from *Rome*, in matter of *translation*, *suspension*, &c. that they might make use of them, as occasion was offered. They counselled the Pope also to go to *Bolonia* in person. For besides the receiving of more frequent and fresh advices, and the sudden making of incident, and necessary provisions, he might have a colourable reason to translate the Councell to that City, upon every small occasion, or to suspend it; desiring him that, as they had imparted nothing to the Cardinall *Madruccio*, so nothing might come to the eares of the Cardinall of *Trent*, his uncle, who, for many respects, and particular interests would certainely use all meanes that it might not be transferred from *Trent*.

To quench the boiling heat in the controversie about the institution of Bishops, that it might not increase, by means of so many who were prepared to contradict *Laynez*, they would not hold any Congregation for many daies. But this leasure did strengthen their opinions, and they spake of no matter but of this, in every corner, and almost every day three or foure of them joyned together, and went to some of the Legats, to renew the instance. And, one day, the Bishop of *Gadici* with foure more, having, after the proposition made, added, that as they confessed that the jurisdiction belonged to the Pope, so they were content it should be expressed in the Canon. The Legats beleeved that the *Spaniards*, acknowledging their error, would confesse that all jurisdiction was in the Pope, and derived from him: but, desiring a further declaration, that Bishop said, that as a Prince doth institute in a City a Judge of the first instance, and a Judge of appeale, who though he be superior, yet cannot take authority from the other; nor usurpe the causes belonging to him, so Christ, in the Church, hath instituted all Bishops, and the Pope superiour, in whom the supreame Ecclesiasticall jurisdiction was, yet so, that others had theirs, depending on Christ alone. *Five Churches* complained to every one, that so much time was lost without holding any Congregation, which might be profitably spent, but that the Legats did, according to their use, purposely suffer it to be spent in vaine, that they might give forth the Articles of reformation the last day, that there might not be time to consider, much lesse to speake of them. But the Legats were not idle, still thinking how they might finde a forme for this *Canon*, which might be received, and changed it more then once a day: which formes going about, and shewing the hesitation of the Legats, the *Spaniards* were not only encouraged in their opinion, but spake also with more liberty; so that, in a meeting of many Prelates, *Segovia* was not afraid to say, that one word would be the cause of the ruine of the Church.

Seven

Seven dayes being paſt without any Congregation, the thirtieth of October, the Legats being in conſultation, as in the dayes before, all the Spaniards, with ſome others, required audience, and made a new inſtance, that the inſtitution and ſuperiority of Biſhops *de jure divino*, might be defined; ſaying, that if it were not done, they ſhould fail to doe that which is juſt and neceſſary in theſe times, for clearing of the Catholike truth, and proteſting they would aſſiſt no more in Congregation or Seſſion. This being divulged, many Italian Prelates agreed together in the houſe of Cardinall *Simoneta*, in the Chamber of *Julius Simoneta*, Biſhop of *Peſcara*, and came to the Legats the next morning, three Patriarches, ſixe Arch-biſhops, and eleven Biſhops with a requeſt, that it might not be put into the Canon, that the ſuperiority is *de jure divino*, in regard it ſavoured of ambition, and was unſeemely that themſelves ſhould give ſentence in their owne cauſe, and becauſe the greater part would not have it put in, the occaſion might not be given to ſpeake of the Popes authority, which they would, and ought to confirme. When this was knowne in *Trent*, many did beleeve that this inſtance was procured by the Legats themſelves: whereupon after Evenſong, a greater number aſſembled themſelves in the veſtry, in favour of the Spaniſh opinon, and others in the houſe of the B. of *Modena* for the ſame end: and there were foure other aſſemblies in the houſes of the Arch-biſhs. of *Otranto*, *Taranto Roſano*, and of the Biſhop of *Parma*. The tumult proceeded ſo farre, that the Legats were afraid of ſome ſcandall, and thought they could by no meanes hold the Seſſion at the time appointed, and that there was a neceſſity to diſcuſſe ſome points of doctrine, and propoſe ſome matter of reformation, before they came to the reſolution of the Article which was the cauſe of ſo great a motion. And *Simoneta* complained often that he had little aſſiſtance from *Mantua* and *Seripando*, who howſoever they did ſomething, yet could not hide their thoughts, which did incline to the adverſaries. 1562 PIUS 4. FERDINAND. ELIZABETH. CHARLES. 9 PHILIP 2.

Letters of credence came from the Marquis of *Peſcara*, to the principall Spaniſh Prelates, with commiſsion to his Secretary, to uſe the ſtrongeſt perſwaſions with them, and to adviſe them not to touch any thing in prejudice of the holy *Sea*, aſſuring them that the King would be diſpleaſed, and that great inconveniences in his kingdomes would enſue; ſaying, it could not be expected from their wiſdome that they would reſolve in any particular, before they underſtood his Majeſties pleaſure. And he gave him order to adviſe whether any of the Prelates made ſmall account of this admonition, or were refractary in obeying, becauſe it was the Kings pleaſure that they ſhould ſtand united in the devotion of his Holineſſe, and ſhould diſpatch expreſſe Curriers, if there were occaſion. *Granata* anſwered, that he never meant to ſay any thing againſt the Pope, and thought that whatſoever was ſpoken for the authority of Biſhops, was for the benefit of his Holineſſe, being aſſured, that if their authority were diminiſhed, the obedience to the holy *Sea* would decreaſe alſo, though by reaſon of his old age, he knew that it would not happen in his time; that his opinion was Catholike, for which he would be content to die; that, ſeeing ſuch contrariety, he was not willing to remaine in *Trent*, becauſe he expected but ſmall fruit, and therefore had demanded leave to depart of his Holineſſe and his Majeſty, much deſiring

The letters of th Marquis of *Peſcara*.

The anſwere of the Archbiſhop of *Granata*.

1562 firing to returne; that at his departure out of *Spaine*, he received no commandment from the King and his Ministers, but to ayme at the service of God, and the quiet and reformation of the Church, which he had truely performed; that he thought he had not crossed the Kings will, though he made not profession to dive into it: but he knew that Princes, when they are requested, especially by their Ministers, doe easily content them with generall termes. *Segovia* answered, that this meaning was never to doe the Pope any ill office, but that he could not gaine-say his opinion, because it was for the Catholique truth, nor could speake more then he had spoken already, having never since seene or studied any thing concerning this matter. Afterwards they retired all together, and sent to the King a Doctor, of the family of *Segovia*, with instruction, to informe his Majesty that neither they, nor any other Prelates could be reprehended, if they knew not how to promote the projects of *Rome*, because they could not propose any thing, but onely deliver their opinion concerning that which was proposed by the Legats, as his Majesty did well know; that it would be hard to interrogate them, and binde them to answer against their conscience; that they were assured they should offend GOD and his Majesty, if they should doe otherwise; that they could not be blamed for speaking out of season, because they did not propose, but answere; that when they did commit any error, they were ready to correct it, according to the commandement of his Majesty; that they had spoken according to the Catholique doctrine, in such plaine termes, that they were sure he would approve all, beseeching him to vouchsafe to heare them, before he did conceive any sinister opinion of them.

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The answere of *Segovia*.

The Legates use meanes to curbe the Spanish Prelates.

Those Prelates were not deceived in beleeving it did proceed rather from the Ministers, then the King. *Simoneta* used perswasions, at the same time, to another Spanish Secretary of the Count of *Luna*, that the Count being to assist at the Councell, it was necessary he should come prepared, to keep those Prelates within their bounds, otherwise there would ensue, not only prejudice to the Church of GOD, but to the Dominions of his Majesty also, because their principall intent was to assume all authority to themselves, and to have free administration in their Churches. And he perswaded the Secretary of *Pescara* to meet *Luna* on the way, and to informe him of the designes, and boldnesse of those Prelates, and to perswade that it would be good service for the King to represse them. In conformity whereof *Varmiense* wrote a long letter to *Petrus Canisius* to the Emperours Court, that he would use the same perswasion to the Count.

The doctrine collected out of the voyces, delivered in the former Congregations, being given forth, they began againe to speake their opinions concerning it the third of November. But Cardinall *Simoneta* forewarned his adherents to speake reservedly, and not to runne out into words of provocation, because that time did require that mens minds should rather be pacified. Having spoken hereof three dayes, and returning often to the controversie, by reason of the connexion of the matter, the Legats thought it necessary to propose some matter of reformation, especially because, the Frenchmen approaching, the Bishop of *Paris* said publikely, that it was time

to

to begin to give ſatisfaction to the French, and other Nations, deputing ſome Prelates of each, to conſider of the neceſſities of thoſe Countreys; becauſe the Italians, neither in *Trent*, nor in *Rome*, could know them; that untill then no reformation had been made, becauſe that which was decreed was to no purpoſe. But the Legats being to propoſe ſome thing of reformation, thought it neceſſary, that they might not give occaſion of many inconveniences, to begin with reſidence. 1562 PIUS 4. FERDINAND ELIZABETH. CHARLES. 9 PHILIP 2.

It hath beene related already what the Pope wrote in this buſineſſe. Afterwards, the Legats and their adherents were in continuall cogitation how to compoſe a Decree, that might ſatisfie his Holineſſe, without prejudice of the promiſe which *Mantua* made to the Prelates. For to propoſe at the firſt, the reference of it to the Pope, ſeemed contrary to that promiſe; and there was great difficulty what Decree to propoſe, which not being accepted, might give them occaſion to returne to the buſineſſe of reference. They made a calculation of thoſe who might be drawn to their ſide, and of thoſe who were totally oppoſite, and found that the Councell was divided into three parts, almoſt equall; that is, into theſe two, and a third, who deſired a definition to be made in Councell, without offence of his Holineſſe: of which there was hope to gaine the major part, and ſo to overcome the adverſaries. Therefore they divided themſelves, and perſwaded ſo effectually, that, beſides others they gained ſeven Spaniards, amongſt whom were *Aſtorga*, *Salamanca*, *Tortoſa*, *Patti*, and *Elma*, the Biſhop of *Macera* labouring ſtrongly herein. Some Prelates are overcome by practiſes.

Foure courſes were propoſed to come to the execution; one, to make a Decree, only with rewards and puniſhments; another, that many Prelates ſhould deſire the Legats, that the buſineſſe might be remitted to the Pope, which requeſt ſhould be read in Congregation, hoping that, by perſwaſions, ſo many would come unto them, that their number would exceed the other, by one halfe; the third that the Legats ſhould propoſe the remiſſion in Congregation; the fourth, that the Pope ſhould preſently make an effectuall prouiſion, which ſhould be printed immediatly, and publiſhed every where before the Seſſion, that the oppoſites, being prevented, might be forced to yeeld. To the firſt was objected, that all thoſe who demanded the declaration *de jure divino*, would be contrary, and thinke that rewards and puniſhments cannot be ſo effectuall as the declarations, eſpecially there being already Decrees of Councels and Popes, which have never beene eſteemed: and there would be difference alſo concerning the rewards and puniſhments. That the Prelates will make impertinent demands; that, at the leaſt they will deſire the collation of Benefices with Cure. That they will demaund the abolition of the Priviledges of the Regulars, and other exorbitant things and that they ſhall ever bee in danger of mutation after the propoſition made, untill it be paſſed in Seſſion, eſpecially when the French-men come, who may demand a retractation. It was oppoſed to the ſecond, that the Prelates could nor bee brought to make requeſt, without clamour; that thoſe who were not called, would diſdaine and goe to the adverſe part; that the adverſaries alſo would make unions and clamours, and complaine of the practiſes. To the third was objected For courſes propoſed concerning Reſidence. The objections againſt them.

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jected that the oppoſites would ſay, that the conſent was not voluntary, but for feare of ſeeming to diſtruſt his Holineſſe, and becauſe there was not liberty to ſpeake, and if it were refuſed, it were as much as to call the Popes authority into queſtion: beſides it would be ſaid that this reference was deſired by his Holineſſe. Againſt the fourth was ſaid, that the Popes Bull being not read in Councell, occaſion was given to the Fathers to demand the definition, and if it were, it might be feared that ſome would demand a greater proviſion, and ſo all would ſucceed with ſmall reputation. Seeing ſo many difficulties they prolonged the buſineſſe, which did not give ſatisfaction, becauſe it had beene publiſhed, that the Fathers ſhould ſpeake of it. Finally, being forced to reſolve, the ſixth of November, embracing that courſe to propoſe a Decree with rewards and puniſhments, after that ſome of the Fathers had ſpoken concerning the buſineſſe of that Congregation, the Cardinall of *Mantua* propoſed it in good termes, ſaying in ſubſtance; that it was a thing neceſſary, deſired by all Princes, and that the Emperour had often made requeſt for it, and complained that this point was not immediatly diſpatched; and that, by troubling themſelves with vaine queſtions, which be of no importance, the principall concluſion hath been deferred; that this is not a matter which needeth diſputation, but a means only remaineth to be found, to execute that which every one thinketh to be neceſſary; that the Catholique and moſt Chriſtian Kings had made inſtance for the ſame, and that all Chriſtendome did deſire to ſee the proviſion; that this matter was ſpoken of in the time of *Paul* the third, and paſſed over by ſome, very impertinently, with ſuperfluous queſtions, which then were wiſely buried in ſilence; that it appeareth, by the ſame reaſons, that there is no need to handle any thing now but that which was propoſed in the Decree. And, amongſt other things, he ſaid, that they were confirmed by the ſpeech of the Ambaſſadour *Lanſac*, who had often ſhewed by good reaſons, that nothing was to be required, but that reſidence ſhould be executed, and that it was to no purpoſe to ſhew whence the obligation came. Amongſt other particles, there was in the Decree, that the Biſhops reſiding ſhould not be bound to pay Tenths, Subſidies, or any other Taxe impoſed by what authority ſoever, though at the inſtance of Kings and Princes. This mooved all the Ambaſſadours very much; but *Lanſac*, diſſembling, complained that the Cardinall of *Mantua* had named him, without telling him of it before, granting he had ſpoken ſo much unto him, but as a particular friend, not as an Ambaſſadour. And to make his complaint the more grievous, he found fault alſo, that the Catholike King was named before the moſt Chriſtian. Of the Tenths he ſaid nothing, hoping that, by that which he had ſaid, and by ſome oppoſition, which the favourers of *jus divinum* would make, that forme of Decree would be hindered. *Five Churches* ſaid only, that he did not beleeve that the Emperours minde was as the Cardinall had propoſed. But the Secretary of the Marquis of *Peſcara* demanded openly, that the words might be amended, ſo that they might not prejudice the grace granted by the Pope to his Catholike Majeſty, for the Subſidy of the Gallies. The Legats did beleeve they had by this meanes gained the Prelates: but after they underſtood the exception

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for *Spaine*, they began to ſay amongſt themſelves, that they were favoured in that which could not be granted. For in *Spaine* and *France*, and under every other Prince they ſhould be forced to pay; and in the ſtate of the Church alſo, with a *Non obſtantibus*, the grace would be made of no force. 1562 PIUS 4. FERDINAND. ELIZABETH. CHARLES. 9 PHILIP 2.

The next day they paſſed from reſidence, to Epiſcopall *Order*. And *Segovia* replyed, that the inſtitution of Biſhops *de jure divino*, was handled, and reſolved, in the ſame Councell under *Julius* the third, with a generall conſent and that himſelfe had delivered his opinion therein, and ſpecified the day and houre when it was. The Cardinall of *Mantua* cauſed the acts of that time to be ſearched, and that to be read by the Secretary which was then defined to be publiſhed, expounding them ſo, as that he concluded that it was neither decided, nor examined, nor propoſed in that manner, as it was ſaid by *Segovia*. The Biſhop anſwering, though reverently in appearance, there paſſed ſo many replies, that they were forced to breake up the Congregation. And becauſe ſome will perhaps deſire to know which of them ſpake with moſt reaſon, it will be fit to recite here that which was then decided in the Congregations, though not publiſhed in Seſſion, by reaſon of the ſudden diſſolution of that Councell, before related. Three heads of doctrine were then compoſed, the third whereof was inſcribed, of the *Hierarchie*, and of the difference of Biſhops and Prieſts: and having ſpoken much of the *Hierarchie*, it ſaith thus afterwards, as it is tranſlated *verbatim* out of the Latine. *Beſides, the holy Synod doth teach, that thoſe are not to be hearkened unto, who ſay that Biſhops are not inſtituted jure divino, it appearing manifeſtly, by the words of the Goſpel, that* CHRIST *our Lord hath himſelfe called the Apoſtles, and promoted them to the degree of the Apoſtleſhip, into whoſe place the Biſhops are ſubrogated; neither ought we to thinke that this, ſo eminent and neceſſary a degree, hath beene brought into the Church by humane inſtitution; for ſo we ſhould detract from, and diſeſteeme the divine providence, for failing in the moſt noble things*. Theſe were the words uſed in that point of doctrine. There were noted alſo eight Canons; the laſt whereof ſaid thus: He that ſhall ſay that Biſhops are not inſtituted *jure divino*, or are not ſuperiour to Prieſts, or have not authority to ordaine, or that this doth belong to Prieſts, let him be *anathema*. Every one being prepoſſeſſed with an opinion, doth find it in all this that is read; and it is no wonder, if each of thoſe two Prelates did find his own in the ſame words, which the Papalins did interprete only of the power of *Order*, and the Spaniards of all, which containeth order and juriſdiction. Yet ſome of the Popiſh Prelates did beleeve that *Mantua*, ſtudiouſly faining to thinke as they did, cauſed the old determination to be read, not to confirme his owne opinion, but the Spaniſh, which ſecretly he defended.

A difference between the Cardinall of *Mantua* and the Biſhop of *Segovia*.

The Cardinall of *Loraine* being entred into *Italy*, the Pope could not deny the French-men, to cauſe that he ſhould be expected. And he wrote to *Trent*, that they ſhould prolong the Seſſion, yet not ſo as to paſſe November. The Legats receiving advice that the Cardinall was upon the *Lago di Garda*, in the Congregation of the ninth of November, *Mantua* propoſed the deferring of the Seſſion untill the 26 of the ſame moneth, which *Loraine* not knowing, ſent *Carlo de Graſſi*, Biſhop of *Monte Fiaſcove*, and wrote letters alſo

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alſo to the Legats, that, if it would pleaſe them to tary for him, he would be in *Trent* within a few dayes. And they reſolved to make no more Congregations untill his comming, to give him the more ſatisfaction. The Biſhop related, that the Cardinall did ſhew a good intention in all his diſcourſes, and that he would ſend his opinions to his Holineſſe, that he might ſee them; that the Prelats in his company came for the ſervice of God, and with a good mind toward the Apoſtolike *Sea*, and did hope that their comming would make a concord in the Councell, and cauſe them to be diligent in making a fruitfull reformation, without any reſpect of their owne intereſt; and many ſuch things he ſaid: which though they were teſtified by *Graſſi*, and confirmed by the Ambaſſadour *de Ferrieres*, yet the Popiſh Prelates did beleeve them only in complement, and purpoſed to uſe all the remedies, deſſigned both in *Trent* and *Rome*.

The entry of the Cardinall of *Loraine* into *Trent*.

Loraine entred *Trent*, and was met a mile on the way by Card. *Madruccio* and many Prelates, and by all the Legats at the gate of the city; from which place he was accompanied to the houſe where he was lodged. He rode betweene the Cardinals *Mantua* and *Seripando*, which honor they thought neceſſary to do unto him, becauſe the ſame was done unto him by *Monte*, and *Sancta Croce*, Legats in *Bolonia*, when the Councell was held in that City, at the time when he went to *Rome* for the *Cap*. In the evening he went to viſit the Cardinall of *Mantua*, and had audience the next day before the Legats, with the Ambaſſadors, *Lanſac* and *de Ferrieres*. He preſented the Kings letters directed to the Councell, and then made a long diſcourſe, to ſhew his inclination to ſerve the Apoſtolike Sea, promiſing to communicate all his deſignes to the Pope, and to them the Legats, and not to deſire any thing, but to the good ſatisfaction of his Holineſſe. He ſaid, he would not bee curious in unprofitable queſtions, adding, that the two controverſies, of the inſtitution of Biſhops, & of reſidence, which were ſpoken of every where, had diminiſhed the authority of the Councel, and taken away the good opinion the world held of it. For his owne part he profeſſed he was more inclined to the opinion which doth affirme them *de jure divino*, yet though it were certainely true, he ſaw no neceſſity, or opportunity to proceed to the declaration thereof; that the end of the Councell ought to be to reunite thoſe to the Church who were ſeparated; that himſelfe had beene at a parley with the Proteſtants, and had not found them ſo different, but that they may be reduced, if the abuſes were taken away, and that no time is more fit to win them then this, becauſe it is certaine they were never ſo united to the Emperour, as now; that many of them, and in particular, the Duke of *Wittenberg*, was willing to aſſiſt in Councell: but it was neceſſary to give him ſatisfaction, by a beginning of reformation, in which the ſervice of GOD did require that their Excellencies ſhould imploy their labour; he ſhewed the deſire of the King, that fit remedies might be applied to the neceſſities of his people, ſeeing that, as he had warre now with the *Hugonots*, ſo if the abuſes were not provided againſt, he ſhould have more to doe with the Catholiques, whoſe obedience will be quite loſt; that theſe were the cauſes why his Majeſty had ſent him to the Councell. He complained that, of all the mony which the Pope promiſed to lend the King, he could

He viſiteth the Card. of *Mantua*: had audience the next day, and makes a ſpeech.

could receive but five and twenty thouſand crownes, disburſed by the Cardinall of *Ferrara*, in regard of the limitations, put in the *Mandats*, becauſe they could not be exacted but upon certaine conditions, to take away the Pragmatikes of all Parliaments of the Kingdome, a thing of ſo great difficulty, that there was no hope ever to receive one penny. In the end he ſaid hee had brought new inſtructions to the Ambaſſadours; and therefore when he had ſpoken to the Synode, in the Kings name, in the firſt congregation, he would afterwards only deliver his ſuffrage as an Arch-biſhop, not medling with the affaires of the Kingdome, but leaving the care thereof to them. 1562 PIUS 4. FERDINAND. ELIZABETH. CHARLES. 9 PHILIP 2.

The Legats anſwered, without conſultation, as every one thought good, commending his piety and devotion towards the Apoſtolike *Sea*, and offering to impart all their affaires unto him. They ſhewed what patience they uſed in ſuffering the liberty, or rather the licence of Prelats, in their ſpeeches, who went up and downe, and mooved new queſtions: but now, his excellency being joyned with them, they doubted not but by his advice and aſſiſtance they might be able to repreſſe this great boldeneſſe, and compoſe the differences riſen, and proceed hereafter in ſo comely a manner, that the world might receive edification, which before had conceived a bad opinion, that the evill will of the Proteſtants was too much knowne, who when they ſhew themſelves not averſe from concord, then it is to be doubted that they invent new occaſions of greater difference; that it is certaine that they have demanded a Councell, becauſe they thought it would be denied them, and at the ſame time when they required it, they endeavoured by all meanes to hinder it, as now thoſe, who are aſſembled in *Francfort*, labour that it may not proceed, and uſe meanes to the Emperour to interpoſe ſome impediment; that they hate the very name of the Councell, as much as of the Pope, neither have they formerly made any other uſe of, then to cover and excuſe their apoſtacy from the Apoſtolike *Sea*, that there was no hope of their converſion, and therefore meanes only was to be uſed to preſerve the good Catholikes in the true faith. They commended the piety and good intention of the King, and ſhewed the deſire of the Pope for reformation and what he had done to reforme the Court, not regarding the diminution of his owne revenues, and that he had alwaies written to the Councell, that they would labour in the ſame buſineſſe, whereunto themſelves the Legats were much inclined and diſpoſed, but were hindred by the contentions of the Prelates, which conſumed almoſt all the time; that if in *France* there be danger to looſe the obedience of the Catholikes, it is a matter to be treated of with his Holineſſe. Concerning the loane of money, they ſaid the paternall charity of the Pope towards the King and Kingdome was ſo great, that they might be aſſured that conditions were put in for pure neceſſity. And after divers complements, they concluded that on Munday he ſhould be received in the generall congregation, to declare to the Fathers the occaſion of his comming, and to reade unto them the Kings letters. The anſwere of the Legates.

The Legats were troubled with theſe words of the Cardinall, that he would not meddle with the affaires of the Kingdome, but leave them to the

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Ambaſſadors, which were not conformeable to thoſe which *Lanſac* and *de Ferrieres* had vttered alittle before; ſaying, they were glad of the Cardinals comming, becauſe they ſhould be eaſed of all paines, all being (as they ſaid) to depend vpon his Honourable Lordſhip. They concluded that they were to take heed of thoſe diſſimulations, and the rather, becauſe Cardinall *Simoneta* had received certaine advice from *Milan*, that the French Abbots, lodged in Saint *Ambroſe*, ſaid they would joyne with the Spaniards, Dutchmen, and Ultramontanes, and treat of matters which would not pleaſe the Court. Beſides, the Frenchmen were heard to ſay in all their diſcourſes, that time was not to be loſt in queſtions, but the reformation to be ſpoken of; that they ought to begin with taking away plurality of Benefices, and that the Cardinall would be the firſt to leave them, to give example; that diſpenſations are to be given *gratis*; that the *Annates*, *preventions* and ſmall *dates* ought to be remooved, and only one proviſion made for a Benefice: amplifying alſo the matter, that the Pope had a moſt excellent occaſion to gaine immortall glory, by making the foreſaid proviſion, to ſatisfie Chriſtian people, and to unite, and appeaſe them by providing againſt theſe abuſes and inconveniences; and that in recompenſe they would pay unto his Holineſſe an halfe Tenth; that they were come thither, reſolute not to depart, before they had attempted to make all theſe proviſions, how long ſoever they taryed there; that in caſe they ſaw they could not prevaile, they would make no clamour, but returne quietly into *France*, and make the ſame proviſion at home. The Legats alſo had notice, that the Cardinal held great intelligence with the Emperor, and (which was of more importance) with the King of *Bohemia*, who were manifeſtly inclined to give ſatisfaction to the Princes of *Germany*, who did undoubtedly hate the Councell, and would be glad it might not proceed, but diſſolve in ſome advantagious manner of them, and diſhonorable for the Apoſtolike *Sea* and the Synode. They ſuſpected alſo the Catholike King in regard of an advice which came to the Secretary of the Count of *Luna*, that the inſtruction being already made in *Spaine* for that Count, it was reſolved to ſend *Martin Gazdellone*, who had been Secretary to *Charles* the fift, to bring him inſtruction by word of mouth, which they would not commit to writing, by reaſon of divers advices which lately had come unto them. And confronting this with another advice received out of *France*, that the Cardinal of *Loraine* had, before he departed, communicated to his Catholike Majeſty the petitions he purpoſed to handle in Councell, and knowing aſſuredly that he had been ſolicited by *Germany* to make inſtance for the reformation, they doubted that the comming of that Cardinall might hatch ſome great novity, & were not pleaſed one jot with his ſpeech in the audience, concerning the comming of the Dutch-men to the Councel, cõſidering the conference he had with the Duke of *Wittenberg*. In ſumme, preſuppoſing that a perſon of ſo great authority and wiſedome would not have come, without a ſure ground to build his deſignes upon, they reſolved to ſend preſently all theſe conſiderations to the Pope. And having obſerved that whenſoever any extraordinaries came to *Trent*, or departed, the Prelates tooke occaſion to talke, to ſeek out the cauſe, to whiſper, to make a noiſe, and to lay plots alſo, which, now that the Cardinall was come,

come, might produce more dangerous effects, they dispatched secretly, and wrote that order might be given to the Curriers to leave their guide and baggage at the next Post to *Trent*, and enter slowly into the City, with the dispatch only. 1562

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The Legats desired the order should be given to the curriers to enter secretly into *Trent*.

The Cardinall went not into the Congregation at the day appointed, by reason of a small fever, which had seased on him; and therefore he desired they would proceed slowly, that he might be present before the resolution. The Legats resolved to give him satisfaction, and therefore they began the Congregation later then they were wont. In which the French Bishops and Abbats being present, a generall muster was made (the number of the Prelates being found to bee two hundred and eighteene) and a place assigned to every one. The next day, there being some difficulty about precedence, they made a new assignation of places, making all the Prelates to enter into the Congregation one by one, and conducting every one to his seat. In those Congregations none of the French-men spake, either because they expected the Cardinall to beginne, or because they were willing to see the manner first. The nineteenth of November the Arch-bishop of *Otranto* appointed a banquet at night for many Prelates, and he that had the charge to invite them, saying, that they ought not to faile, in regard of the service they might doe the Apostolique *Sea*, by comming thither, it was immediatly published in *Trent*, that the Popish Prelates, were assembled, to make a combination against the French-men. This distasted them much, and the more, because after the banquet, they were assured that such discourses had been used at the table, and observing that since their comming, some new Prelate did arrive every day, they thought they were mistrusted, and held to be opposites. Therefore the Legats, to make shew of all confidence, and respect of honour to the Cardinall, in the Visitations which each of them made while he was sicke, they perswaded him to take so good an occasion to compose the controversies which the questions have made; a thing which would be easie for him, and of great reputation, because no man hath been able to effect it. The Cardinall seemed to be willing, and offered his endeavours.

A factious banquet

The Pope, who in those dayes had beene in some danger, by reason of a great unexpected accident, having recovered his health, received advices from the Legats, and from divers other places, by which the French-men had passed, all uniformely full of their dessignes. Besides, when he was sicke, *Monsieur de l'Isle* used practises, and layd plots, that, if he had died the Pope might be created in *Trent* by Nations, and the *Sea* held vacant untill the reformation were made. For so the Councell would be free, and the new Pope would accept the reformation, which was established before his creation. This mooved him most of all, as well because every man, and Princes especially, are displeased when any thing is dessigned to be done after their death, as also because he was by this most assured, that the French men were resolved to reforme the Court, and the Popedome. These things, and the differences in *Trent* about the Institution of Bishops and residence, caused him to hold a Congregation every day, and he could not forbeare to tell every one, that he had no businesse more important, and dangerous

A plot of the French Ambassadour when the Pope was sicke.

Troubleth his Holinesse.

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to him then the Councell. And relating in Consistory the differences in *Trent* about the Institution, and the new proposition of Residence, hee brake out into this exclamation, that all the Bishops beneficed by him were his opposites, and that he maintained an army of enemies in *Trent*. There was an opinion that hee secretly wished some good successe to the *Hugonots* in *France*, and some advantage to the Protestants in the Diet of *Germany*, that the Councell might be dissolved, and not by his meanes. But, being wholly bent to provide remedies, he gave order to the Bishops who were not parted from *Rome* as yet, to depart immediatly, and caused *Marcus Antonius Boba*, Bishop of *Asti*, Ambassadour for the Duke of *Savoy*, residing with him, to go thither also. On the Other side, he forbade the Arch-bishop of *Turris*, and the Bishop of *Cesena* to go thither; the former, because hee had defended residence to be *de jure divino*, with more constancy then the times did comport, in the Councell under *Paul*; the other because hee was a familiar friend of the Cardinall of *Naples*, of whom he doubted much, by reason of the slaughter of his two uncles, and of the executions made against his person: and he feared because it was said, that the Count of *Montebello*, father of the Cardinall, had in his custody, an obligation under his hand, by which, being Cardinall in the *Conclave*, he promised a summe of money to the Cardinall of *Naples* for his voyce to be Pope. But howsoever his greatest diffidence was in the Frenchmen, yet he thought fit to dissemble it. He sent into *France* fourty thousand Crownes, the residue of the hundred thousand which he promised. And he caused *Sebastianus Gualterus*, Bishop of *Viterbo* and *Lodovicus Antinori* to goe to *Trent*, who, having bin in *France*, had some acquaintance with some of those Prelates, and had made themselves knowne to the Cardinall, under colour to honor him. And he wrote to this Cardinall and to *Lansac* letters full of complement, and confidence. Yet they thought that these men were sent to discover the Cardinals intention, and to observe his proceedings; and the rather because they had received advice from *Rome*, that the Bishop had exhorted the Pope not to be so much afraid, in regard the Cardinall also would find difficulties and impediments, more then he beleeved he should, and said that himselfe would make more to arise.

And maketh him exclaime.

He sendeth some Bishops to *Trent*, and withholdeth others.

Fearing to be accused of Simony.

The 22 of November, the Cardinall resolved to enter into the Congregation the day following; and it was agreed that the Kings letters should be read, and himselfe make a speech. But *Loraine* proposed also, that the Ambassadour *de Ferrieres* should make another. To this the Legats did not consent, because if this had beene once permitted, both he and all other Ambassadours, would still be desirous to speake, and propose, with danger of making greater confusion; but, concealing this cause, they said, that neither in this Councell, nor under *Paul* or *Julius*, it was ever permitted to Ambassadours to speake in Congregation, but only when they were first received; and that without the Popes consent they could not yeeld to such a novity. But *Loraine* answered, that the Kings letter, and the instruction being new, it might be called a new Ambassage, and that, the first entrance. After many answeres and replies, *Loraine* having given his word, that they should not desire to speake any more, the Legats, to give him satisfaction,

and

and that he might not have cauſe of open diſtaſte, were contented. 1562

Therefore the next day, the Congregation being aſſembled, the Kings letter was read, with this inſcription. To the moſt holy and moſt reverend Fathers, aſſembled in *Trent* to celebrate the ſacred Councell. In which he ſaid, that, it having pleaſed God to call him to the Kingdome, it hath pleaſed him alſo to afflict him with many warres; but hath ſo opened his eyes, that, howſoever he be yong, he knoweth that the principall cauſe of the evils is the diverſity of religion. By meanes of which divine illumination in the beginning of his Kingdome, he made inſtance for the celebration of the Councel, in which they were then aſſembled, knowing that in them the ancient Fathers have found the moſt proper remedies to the like infirmities, and, that he was grieved, that being the firſt to procure ſo good a worke, he had not been able to ſend his Prelates with the firſt; the cauſe whereof being notorious, he thought he was ſufficiently excuſed; and the rather, becauſe the Cardinall of *Loraine* was now arrived; accompanied with other Prelates. That two principall cauſes hath moved him to ſend that Cardinall; the firſt, his owne great and frequent inſtance, to have leave to ſatisfie his duty, in regard of the place he holdeth in the Church; the ſecond; becauſe, being of his Privy Councell, and exerciſed from his youth, in the moſt important affaires of the Kingdome, he knoweth the neceſſity thereof, better than any other, and whence the occaſions doe ariſe: ſo that he will be able to make a relation unto them, conformable to the charge which is given him, and demand in his name the remedies which are expected from their wiſdome, and fatherly affection, as well for the tranquillity of the Kingdome, as for the generall good of all Chriſtendome. He beſeeched them to proceed herein with their wonted ſincerity, that they may come to an holy reformation, and that the ancient luſtre of ths Catholike Church may appeare, in the union of all Chriſtendome in one religion; which will be a worke worthy of them, deſired by the whole world, recompenced by God, and commended by all Princes. In concluſion, for the parriculars, he referred himſelfe to the Cardinall, praying them to beleeve him in whatſoever he ſhould ſay unto them on his part.

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The French Kings letter.

After this the Cardinall ſpake. In the beginning, he ſhewed the miſeries of the Kingdome, deplored the warres, the demolitions of Churches, occiſions of religious perſons, conculcation of the Sacrament; burning of the libraries, images and reliques of Saints, overthrowing of the monuments of Kings, Princes, and Biſhops, and expulſion of the true Paſtors. And, paſſing to civill matters, he ſhewed the contempt of the Kings Majeſty, uſurpation of his rents, violation of the lawes, and ſeditions raiſed amongſt the people. He attributed the cauſe of all this to the corruption of manners, to the ruine of Eccleſiaſticall diſcipline, and negligence in repreſſing hereſie, and in uſing remedies inſtituted by God. Turning to the Ambaſſ. of Princes, he told them that that which they doe now behold at leaſure in *France*, they ſhall find at home, when it will be too late to repent, if *France*, tumbling downe with its owne weight, ſhall fall upon places neere unto it. He ſpake of the vertue and good diſpoſition of the King, the counſels of the Queene, and King of *Navarre*, and of the other Princes, but ſaid, the princi-

The ſpeech of the Cardinall of Loraine.

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pall matter was expected from the Synod, whence the peace of God, which passeth all understanding, ought to come. That the most Christian King being assured hereof, in regard of his observance towards that Synod, and of his sorrow for the differences of religion, did demand two things of them. The first, that they would avoyd new discords, new and unprofitable questions and cause a suspension of Armes amongst all Princes and States, that scandall may not be given to the Protestants, and occasion to beleeve, that the Synode doth more labour to incite Princes to warre, and to make confederations and leagues, then to keep the unity of peace. That King *Henry* hath first established it, and then *Francis* continued it, and that the present King, under age, and his mother, have alwayes desired it; which howsoever it hath unhappily succeeded, yet they might feare that the accidents of the warre would be more unfortunate. For all the States of the Kingdome being in danger of shipwracke, one cannot helpe another. He therefore desireth that some account may be held of those who are gone astray from the Church, pardoning them as much as may be done without offending God, and holding them for friends, as much as is possible, even as farre as unto the Altars. The second request, common to the King with the Emperour and others Kings and Princes, was, that a reformation of manners, and of Ecclesiasticall discipline, should be handled seriously; wherein the King did admonish and conjure them by CHRIST our LORD, who will come to judgement, that, if they meant to restore the authority of the Church, and retaine the Kingdome of *France*, they would not balance the incommodities of the French-men with their owne. He said he was glad, that *Italy* was all in peace, and that *Spaine* did governe the Helme; but that *France* was fallen, and scarce held it with one finger. He added, that, if they will demand, who hath caused this tempest and fortune, he can say nothing but this, that this fortune is come by our owne meanes, cast us into the Sea. Therefore that there was need of boldnesse, and courage, to look unto themselves, and the whole flocke. In the end, he said, he had ended his Legation, and, that the Ambassadours would say the rest; but himselfe and the Prelates who came with him, did protest that, after God, they would be subject to the most blessed Pope *Pius*, acknowledging his Primacy on earth, above all Churches, whose commands they will never refuse; that they doe reverence the Decrees of the Catholike Church, and of the generall Synod, that they did honour the Legats, offer concord and union to the Bishops, and were glad that the Ambassadours were witnesses of what they said, all for the honour of the divine Majesty.

The answere.

Having made an end of speaking, the Cardinall of *Mantua*, in few words, commending him for the paines he had taken for the service of God, said, that all the Synode was glad of his comming, made honorable mention of his brothers, who in their profession shewed no lesse readinesse in the service of God and the Kingdome, and referred himselfe to the answer which the Arch-bishop of *Zara*, deputed hereunto, should make, in the name of the Councel. Who said that the Synod was sory to heare of the seditions and differences of religion in *France*, whose quiet and tranquility was alwaies dear unto them, and the more then, because by the narration of his Execellency, they

they were so lively set before their eyes, but hoped that shortly the King imitating the vertue of his predecessors, would be able to represse them, that the Synod will labour, by all means, to make the true worship of God knowne, to reforme manners, and restore tranquility to the Church, which end they might more easily attaine, if they were assisted by his Excellency, and the Prelates who came with him. He spake largely in commendation of the Cardinall, and concluded that the Synod thanked God for his comming; and gave him joy of it, and offered to give eare to whatsoever should be delivered by the Ambassadours, in fit time and place, not doubting, but that it would be for the glory of God, benefit of the Church, and great dignity of the Apostolike *Sea*.

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Afterwards the Ambassador *de Ferrieres* spake. He began with the commendation of the Kings disposition, inclined to Religion, which appeared more by the comming and discourse of the Cardinall, by whom it might be knowne, how great care *France* did take for the good of the Catholique Church, because every one might see that most potent reasons had induced the King to send him, in regard he had ever imployed him in his counsel, in the greatest affaires of the Kingdome, that the King could appease all the seditions in three dayes, and keepe all his subjects in their naturall obedience, if he aymed only at his owne good, and did not desire to maintaine the Catholique Church, and retaine the dignity and authority of the Pope in *France*; for which he exposeth to danger the Kingdome, his life, and the goods of all the Grandees and Nobles. And, descending to the requests, he added, that they would not be troblesome, nor obstinate in them, that they did demand nothing but that which all the Christian world demandeth; that the most Christian King doth request that wch *Constantine* the great requested of the Fathers in the Councell of *Nice*; that all his demands are contained in the holy Scripture, in the old Councels of the Catholique Church, and in the ancient Constitutions, Decrees, and Canons of the Popes and Fathers; that the most Christian King doth demand the restitution of the Catholike Church to its integrity, by meanes of them the Fathers, constituted by Christ as the chiefe Judges, not by a Decree with a generall clause, but according to the forme of the expresse words of that perpetuall and divine Edict, against which, neither usurpation nor Prescription can take place; so that those good orders which the devill hath taken away by force, and concealed a long time, may be restored, as it were, out of captivity to the holy city of God, and to the sight of men. He exemplified in *Darius*, who composed the tumults of *Judea*, not by armes, but by executing the ancient Edict of *Cyrus*; in *Josias*, who reformed religion, by causing the book of the law to be read and observed, which had been concealed by the malice of men. Then he spake acutely, and said, if they shall demand why *France* is not in peace, he could answer nothing, but that which *Iehu* said to *Ioram*; How can there be peace, there remaining? and concealed the words following, but added, you know the text. Then he said, that if they doe not seriously labour in the reformation, the assistance of the King of *Spaine*, of the Pope & of other Princes, will be in vaine and the blood of those who perish, though justly, for their owne sinnes, will be required at the hands of them the Fathers.

The speech of de Ferrieres the French Ambassadour.

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He concluded, that, before they would deſcend to the particulars which they meant to demand, they deſired that the things which they had begun to handle, might be diſpatched quickely, that they might, as ſoone as was poſſible, apply themſelves to other matters of more weight, and of greater neceſſity in that time. The biting liberty of this Ambaſſadour did no leſſe diſpleaſe, then that of his Colleague *Pibrac*, at their firſt comming to *Trent*; but the feare they had of the French-men made them forget all.

The next day the Congregations were continued, and the firſt was all ſpent by Friar *Jaſpar* of *Caſal*, Biſhop of *Liria*: who, to informe the Cardinall of *Loraine* of all the reaſons of the *Spaniards*, did recapitulate, with great eloquence, whatſoever they had ſaid in this matter. He added beſides, that nothing was more in favour of the *Lutherans*, then to ſay that Biſhops are inſtituted by the law of man; that by this meanes, their novity is approved, in making Preachers, or Predicants, or Miniſters to governe the Church, in ſtead of Biſhops inſtituted by CHRIST. He ſaid that to him that readeth the Epiſtles of Saint *Gregory*, to *John* of *Conſtantinople*, and to others againſt him, for calling himſelfe Univerſall Biſhop, it doth plainely appeare, that it cannot be ſaid, that the inſtitution of the Pope is from Chriſt, if it be not ſaid that the inſtitution of Biſhops is from him alſo.

The Papalins are diſtaſted with the *French* Congregations.

The Cardinall of *Loraine* made a congregation of Prelats and French Divines in his owne houſe, to underſtand their opinion concerning the Juriſdiction of Biſhops; in which it was uniformely reſolved amongſt them, that they did receive it from GOD, and that it did belong unto them *jure divino*. And this ſingularity, of congregation was uſed afterwards by the Cardinall in all occurrences, to the great diſtaſte of the Papalins, who ſaid he helde a Councell apart, and feared that the Spaniards would imitate the example, which might in time make a manifeſt ſchiſme, as it happened in the firſt Councell of *Epheſus*, by the Congregations which *Egyptians* and *Syrians* held apart. But the Papalins had, amongſt the Spaniards *Barthomeus Sebaſtianus* Biſhop of *Patti*, who a Spaniard by nation, becauſe he had a Biſhopricke in *Sicily*, had great intelligence in *Rome*, and had diſcovered all the Spaniſh practiſes and counſels. Amongſt the French-men, about the time when the Cardinall of *Loraine* put himſelfe in order for the journey, the *Nuncio* in *France* did gaine *Jacobus Hugonius*, a Franciſcan Friar, a Divine of the *Sorbone*, elected by the Cardinall for his company; with whom he had ſome cauſe of acquaintance becauſe he was conſtituted Proctor for the Councel, by *Johannes Urſinus*, Biſhop of *Triguier*, whereof he ſent newes to *Rome*, and addreſſed him for correſpondence in *Trent*, with his letters to *Lactantius Roverella* Biſhop of *Aſcoli*. But *Simoneta* was not willing to put ſuch confidence in that Biſhop, nor would ſuffer him to know the intelligence which was to be held with that Divine Therefore, when *Loraine* was neere unto *Trent*, he cauſed the Biſhop of *Ventimiglia* to ſend another Friar of S. *Francis*, called *Pergola*, to meet *Hugonius*, to tell him from him, that he was informed by the *Nuncio* of *France*, of a letter which he brought to the Lord Biſhop of *Aſcoli*, who had written alſo unto him that he ſhould ſpeake with him before he did deliver it. *Pergola* did this buſineſſe cunningly, ſo that the Divine promiſed to doe ſo, and accordingly went to *Vintomiglia* a few dayes after he came

Iacobus Hugonius betrayeth the *French* Prelates.

came to *Trent*; and after that they knew one another, and the tokens that they were to treat together; the Friar made him a relation of the ſtate of all things, and ſaid, that the ruine of the Kingdome did eſpecially proceed from the Queene, who favoured the heretikes, as himſelfe ſaw plainely, in the diſputations which hee often had with them in her preſence. Concerning the Ambaſſadours in *Trent*, he ſaid they were corrupted alſo. The Cardinall he held to be a good Catholike, but inclined to impertinent reformations of Eccleſiaſticall Rites, of the uſe of the Cup, of taking away images, of bringing in the vulgar tongue, and ſuch other things, whereunto he was perſwaded by the Duke of *Guſe* his brother, and others of his kindred, and that the Queen at his departure, had effectually perſwaded him to it, and given him twenty thouſand crownes. Hee ſaid, that amongſt the Biſhops there were three of the ſame faction, but, above all, that the Biſhop of *Valence* helde intelligence with the Queene, and was ſent expreſly by her, as the prime man to whom the Cardinall was to beare reſpect. In the end, they ſet downe an order how to meet, and treat together. *Ventimiglia* gave him fifty crownes in gold, as the Legats had appointed, which at the firſt he refuſed to accept; but *Ventimiglia* perſwaded him with good termes to be content. Notwithſtanding himſelfe did not take them, but called his ſervant, who was with him, and gave him order to keep them in the name of his Religion. 1562 Pius 4. Ferdinand. Elizabeth. Charles. 9 Philip 2.

I have often rehearſed, and continue ſtill, many particulars, which I am ſure many will thinke not worthy of mention, as I have thought my ſelfe; but finding them preſerved, and noted in the memorials of thoſe who were preſent in the actions, I perſwade my ſelfe, that for ſome reſpect, unknowne to me, they have deemed them worthy of commemoration; and therefore, according to their judgement rather then mine owne, I have thought fit to relate them. Perhaps ſome ſharpe wit may diſcover in them ſomething which is not penetrated by me, and thoſe who doe not eſteeme them will loſe but a little labour in reading them.

The ſixe and twentieth of November, deſtinated for the Seſſion, Cardinall *Seripando* propoſed in Congregation, that it might be deferred, in regard the Decrees which they were to publiſh were not eſtabliſhed. And he admoniſhed the Prelates of their long diſcourſes, by meanes whereof they could not determine any certaine day for the Seſſion, which therefore was neceſſarily to be deferred during pleaſure. He tolde them that many of them ſpake of abuſes, not remembring that to ſpend ſo much time, in vaine diſputations without any fruit, was the greateſt abuſe of all, which was neceſſarily to be taken away, if they deſired to ſee the end of the Councel, with edification. *Loraine* confirmed the ſame, and exhorted the Fathers to leave thoſe queſtions, which were nothing to the purpoſe in that time, and to be briefe and diligent in diſpatching the things already propoſed, that they may come to things of more importance and neceſſity. Many of the Prelates did not conſent that the Seſſion ſhould be deferred during pleaſure, and required a determinate time. To whom it being replied, that it was not poſsible, becauſe they knew not when they ſhould end the matter now in hand, which was ſo much controverſed amongſt them, it was concluded that the determinate

1562 minate time ſhould be ſet downe within eight dayes.

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The ſame day the Senator *Molines* arrived, ſent by the Marquis of *Peſcara*, to renew and give ſtrength to the perſwaſions, uſed to the Spaniſh Prelates, in favour of the Pope, which having beene made by the Secretary reſident, had done no good. He brought new letters of credence to them all from the Marquis, and laboured with great diligence. Which wrought a contrary effect. For the Prelates did interpret it to be a practiſe of the Cardinall of *Arragon*, brother of the Marquis, without any expreſſe commiſſion from the King. It appearing now, that the further they proceeded about this point of the Inſtitution, the more difficulty did ariſe, the Ambaſſadours of *France* uſed meanes, that a temper might be found, that they might rid themſelves of thoſe ſuperfluities and come to the buſineſſe of the Reformation, that they might know what the might hope for from the Councell. And the Biſhop of *Niſmes* told them, when he gave his voyce, that if the Fathers were delighted to decide a curioſity, which in concluſion will be nothing but words, yet they ought not to entertaine others with it, but deferring it untill another time, to handle that now which is more neceſſary. *Diego Covarruvias* Biſhop of *Citta di Rodrigo*, who ſpake after him, excuſing the Fathers for ſpending time in that queſtion, ſaid, that, it having been propoſed by the Lords the Legats, the Prelates could not chooſe but deliver their opinions. Wherewith Cardinall *Simoneta* being mooved, did deny that the propoſition was made by them; and *Seripando* did ſecond him more fiercely, and ſaid, that themſelves aſſuming too much licence, did not thinke it ſufficient to diſcourſe of the ſuperiority of Biſhops which was propoſed, but had ſet on foot alſo the other of the inſtitution, and added *Jus divinum* unto them both; and not contented with the patience uſed in ſuffering them to ſay what they will, they began alſo to lay the blame upon the Legats. He ſharply reprehended their too much liberty in entring into theſe queſtions, and their boldneſſe in treating of the Popes power, vainly and ſuperfluouſly repeating the ſame things, more then ten times, ſome alſo uſing frivolous reaſons, and fooliſh, unworthy of that aſſembly. And, in the progreſſe of his ſpeech, perceiving he had been too bitter, he began to ſet them downe a forme how every Prelate ſhould give his voyce in Councel. Speaking of the queſtions propoſed, he ſhewed that both the oppoſite opinions were probable, and that in caſe that *de jure divino* had more probability, yet it was not a thing to be decided in Councell. He could not by this meanes pacifie the mindes of many that were moved; neither did he abſolutely pleaſe the Cardinall of *Loraine*, who made all poſſible demonſtration to gaine a good opinion. For he made means to know the men, and to informe himſelfe what was poſſible to be done, that he might not undertake the buſineſſe before he knew it would ſucceed; and he effected alſo to be the man who ſhould compoſe the differences, and be judge of the queſtion. For diſpatch of the matter, a propoſition was made to depute ſome Prelates of every nation, as it were to compromiſe the reſolution by them. But it could not be done, becauſe the French and Spaniards deſired an even number of every nation, and the Italians, as they were more in number then the others, ſo they would have a greater number in this deputation. *Simoneta* was the firſt to oppoſe this

this propoſition, for feare of reviving the cuſtome of the Councell of *Baſill*. 1562

At this time a new matter of contention was prepared. For the Count of *Luna* gave the Legats to underſtand, that he was to come to *Trent* Ambaſſador of the King of *Spaine*, and not of the Emperor, but would firſt know what place would be allowed him. The Legates called the French Ambaſſadors, and told them of it, deſiring them to find ſome meanes to compoſe the difference for precedence. They anſwered that they were not ſent to compoſe differences, but to hold the place due, and alwayes graunted to their King; that they meant not to prejudice the King of *Spaine* in any thing belonging to him, but to do him all honour and ſervice, as being a couſin, and a friend to their King, and that they had charge, if their place was not given unto them, to make proteſtation of the nullity of the acts of the Councell, and to depart with all the French Prelats. The Cardinal of *Mantua* propoſed this courſe, to make the Spaniſh Ambaſſador ſet a part from the others over againſt the Legates, or vnder the Eccleſiaſticall Ambaſſadors, or vnder the Secular Ambaſſadors. But the Frenchmen were contented with none of theſe courſes, ſaying that by all meanes he ſhould have his place after them and no where elſe.

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A queſtion about precedence between *France* and *Spaine*.

In the Congregation of the firſt of December *Melchior Avoſmediano*, Biſhop of *Guadice*, ſpeaking of that part of the laſt Canon, where it was determined that Biſhops, called by the Pope, are true and lawfull, ſaid, that the manner of expreſſing it did not pleaſe him, becauſe there were alſo Biſhops not called by the Pope, nor confirmed by him, who notwithſtanding were true and lawfull. For example he brought foure ſuffragans, elected and ordained by the Archbiſhop of *Salzburg*, who take no confirmation from the Pope. Cardinall *Simoneta* did not ſuffer him to proceed, ſaying, that whatſoever the Biſhop of *Salzburg*, or other Primats did, was all by the Popes authority. Friar *Thomas Caſtello*, Biſhop of *Cava*, and the Patriarch of *Venice* ſtood up both at once, and ſaid that he ought to be put out of the Councel, as a Schiſmatike. And *Egidius Falceta*, Biſhop of *Caurle*, cryed aloud, Out with the Schiſmatike. And there followed a great noyſe amongſt the Prelats, as well of whiſpering, as of feet, partly in offence of the Prelate that gave his voyce, and partly in defence: which gave but ſmall ſatisfaction to the Prelats beyond the mountaines. The Cardinall of *Loraine* was diſpleaſed, but made no demonſtration of it; and the Legats did hardly appeaſe the ſtirre, by making others proceed who were to ſpeake in that Congregation; which being ended, the Cardinall of *Loraine* ſaid, in preſence of many of the Popiſh Prelats, that the inſolency had been great, that the Biſhop of *Guadice* had not ſpoken ill, and that if he had been a Frenchman, he would have appealed to another Councell more free, and that in caſe proviſion were not made that all might ſpeak freely, the Frenchmen would returne, to make a Nationall Councell in *France*. And indeed it was found that the Biſhop had not ſpoken ill, and the Canon was corrected; for whereas it ſaid, The Biſhops called by the Pope of *Rome*, it was altered thus, The Biſhops aſſumed by authority of the Pope of *Rome*.

The Biſhop of *Guadice* cauſeth a great ſtirre in the Councell.

The Cardinall of *Loraine* ſaith the Councell was not free.

The next day, in which they were to determine the juſt time for the Seſſion, the Cardinall of *Mantua* propoſed, that it might be prorogued untill the

1562 the ſeventeenth; and if, in the meane while, the Decrees of reformation, belonging to the matter which was handled, could not bee put in order, it ſhould be deferred untill the next Seſſion. The Cardinall of *Loraine* conſented for that day, but with condition, that the whole matter might be handled, and nothing deferred untill the next Seſſion, in which was neceſſary to begin the generall reformation. The Arch-biſhop of *Prague*, *Five Churches*, and the Orator of *Polonia*, agreed in the ſame opinion. And, after much contention, between thoſe, who (as the Biſhop of *Niſmes* had ſaid) would have thoſe queſtions deferred untill another time, and others, who would have them decided, it was reſolved to appoint the Seſſion for the day aforeſaid, with order, that to diſpatch all the matter, they ſhould hold two Congregations every day, and if they would not decide all, yet they ſhould publiſh thoſe Decrees which could be made by that time, deferring the undecided points untill another, handling the reformation in the next Seſſion, before they entred into matter of doctrine. *Mantua* did alſo reprehend the noyſe made with feet, and words, the day before, concluding that, if hereafter they would not ſpeake with that reſpect and reverence which might beſeeme their own dignity, the preſence of them the Legates, who repreſent his Holineſſe, and of the Cardinals and Ambaſſadors, who repreſent the Princes, they would go out of the Congregation, that they might not endure ſo great diſorders. The Cardinall of *Loraine* commended the admonition, and ſaid, that as the Legats ought not to go out of the Congregation for any occaſion whatſoever, ſo it was moſt juſt that the perturbers of it ſhould be puniſhed. The Biſhop of *Cava* would neither excuſe himſelfe for that which he had ſaid, nor receive the admonition with ſilence, though it was in generall, but ſaid, that the cauſes ought to be removed that the effects might ceaſe; that if the words of the Biſhop of *Guadice* had offended his own perſon, he would have endured it, for Chriſtian charity, which as it requireth patience in wrongs committed againſt ones ſelfe, ſo it maketh men ſenſible of the injuries done unto CHRIST, whoſe divine Majeſty is offended, when the authority of his *Vicar* is touched, that hee had ſpoken well, yea, as well as might bee, and confirmed the ſame with other words of the ſame ſence, which were generally condemned of petulancy.

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The ſuffrage of the Biſhop of *Aliffe* concerning the inſtitution of Biſhops.

Jacobus Gilbertus, of *Nogueras*, Biſhop of *Aliffe*, in delivering his voyce, ſaid, that, concerning the inſtitution of Biſhops, one could not ſpeake with better ground, then conſidering well and underſtanding the words of Saint *Paul* to the Epheſians. For as it is moſt true that Chriſt did rule the Church with an abſolute government, while he lived in mortall fleſh, as others had judiciouſly ſaid, ſo it was a great untruth which was added, that is, that, being in heaven, he hath abandoned the ſame government, ye, he doth exerciſe it rather more than before. And this is it which he ſpake to his Apoſtles, at his departure; *I am with you untill the end of the world*; adding alſo the aſſiſtance of the holy Ghoſt; ſo that now alſo not only the inward influence of graces commeth from Chriſt, as from the Head, but an externall aſſiſtance alſo, though inviſible to us, which doth miniſter occaſions of ſalvation to the faithfull, and driveth away the temptation of the world. Notwithſtanding, beſides all theſe things, he hath inſtituted alſo ſome members of the Church

Church for Apoſtles Paſtors,&c. to defend the faithfull from errours, and to direct them to the unity of faith, and knowledge of GOD. And upon theſe he hath beſtowed a gift,neceſſary for the exerciſing of this holy office, which is the power of juriſdiction,which is not equall in all,but ſo much as every one hath, is given him immediatly by CHRIST. Nothing is more contrary to Saint *Paul*, then to ſay,that it was given to one only, to impart it to whom he liſted. It is true that it is not equall in all, but according to the divine diſtribution, which, as Saint *Cyprian* ſaith, that the unity of the Church might be preſerved,did ordaine,that the ſupreame ſhould be in *Peter* and his ſucceſſors; not that it ſhould be abſolute, and, according to the Proverbe,that the will may be a law,but as Saint *Paul* ſaith, for edification of the Church onely, not for deſtruction: ſo that it cannot be extended to abrogate lawes, and Canons, made by the Church, for a foundation of governement. And here hee began to alleadge the Canons cited by *Gratian*,in which the ancient Popes doe confeſſe themſelves to be ſubject to the Decrees of the Fathers,and to the conſtitution of their predeceſſors. 1562 PIUS 4. FERDINAND ELIZABETH. CHARLES. 9 PHILIP 2.

The Cardinall *Varmienſe* interrupted him, and ſayd, that the ſubject to ſpeake on was the ſuperiority of Biſhops; ſo that this diſcourſe was beſide the matter. The Biſhop anſwered,that the authority of Biſhops being handled, it was neceſſary to ſpeake of that of the Pope. And *Granata* ſtood up, and ſaid,that others had ſpoken of it ſuperfluouſly, not to ſay perniciouſly, meaning *Laynez*,and therefore that *Aliffe* might ſpeake of it likewiſe. The Biſhop of *Cava* ſtood up, and ſaid, that others had ſpoken of it, but not in that manner;and whiſperings beginning to ariſe amongſt the Prelates,*Simoneta* made a ſigne to *Cava* to hold his peace,and admoniſhing *Aliffe* to ſpeak to the point, he quieted the noyſe. But he continuing to alleadge the Carnons, as he had begun,*Varmienſe* interrupted him againe,not ſpeaking unto him,but making a formall diſcourſe to the Fathers,concerning that matter. He ſaid that heretikes pretend to prove, that Biſhops, elected by the Pope, are not true and lawfull,and that this is the opinion which ought to be condemned, but whether the true Biſhops are inſtituted *jure Divino*, or not, there is no difference betweene the heretikes and the Catholikes, and therefore the queſtion doth not belong to the Synod,which is congregated only to condemne the hereſies. He adviſed the Fathers to abſtaine from ſpeaking things which might give occaſion of ſcandall,and exhort them to leave theſe queſtions. *Aliffe* deſired to reply; but *Simoneta* with the aſſiſtance of ſome other Prelates, did pacifie him,though with ſome difficulty. And after him ſpake *Antonius Maria Salviati*, Biſhop of Saint *Papulo*; who ſaid, that all were aſſembled for the ſervice of GOD,and proceeded with a good intention,though ſome one way,and ſome another. And, having ſaid many things which ſerved partly to accord the opinions, but principally to reconcile their mindes, was a cauſe that the Congregation did quietly end, and that words of humanity and reverence did paſſe betweene the Cardinall and the Biſhop.

The fourth of December,the Cardinall of *Loraine* Delivered his opinion concerning the ſame matter,and ſpake at large,ſaying,that juriſdiction was given by God immediatly to the Church. He alleadged the place of Saint The ſuffrage of the Cardinal of *Loraine*.

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Auſtin, that the keyes are given to *Peter*, not unto one perſon, but unto the unity, and, that *Peter*, when Christ promiſed him the keyes, did repreſent all the Church, who if he had not been a Sacrament; that is, repreſenting the Church, Christ would not have given them unto him. And he ſhewed a great memory in reciting the places word by word. Then he ſaid, that that part of juriſdiction which is joyned with Epiſcopall order, the Biſhops do receive imediatly from God; and declaring in what it doth conſiſt, amongſt other things, he ſpecified, that power of excommunication is contained in it, inlarging himſelfe much in the expoſition of that place of Saint *Matthew*, in which Christ doth preſcribe the manner of brotherly correction, and judiciall of the Church, with authority to ſeparate the diſobedient from the body thereof. Then he diſputed againſt that opinion, alleadging divers reaſons taken out of the words of Christ, ſpoken to Saint *Peter*, and from the expoſition which S. *Leo* the Pope doth give unto them in many places. He exemplified in many Biſhops who had acknowledged all their juriſdiction to come from the Apoſtolike *Sea*, and ſpake with ſo much eloquence, and in ſuch ſort, that it could not clearely be diſcovered, what his opinion was. Afterwards he ſaid, that Councels had authority immediatly from God; alleadging the words of Christ, Where two or three ſhall be aſſembled in my Name, I will be in the middeſt of them, and the Councell of the Apoſtles, which aſcribeth the reſolution to the holy Ghoſt; and the ſtile of all Councels, in ſaying they are congregated in the holy Ghoſt; and, in particular of that of *Conſtance*, which ſaith plainly, that it hath authority immediatly from Christ. But he added, that ſpeaking of Councels, his meaning was that the head ſhould be joyned with it, and that nothing was of more ſervice for the union of the Church, then to confirme well the Popes authority; that himſelfe would never conſent to determine any thing in diminution thereof, and that all the Prelates and Clergie of *France* were of the ſame opinion. And returning to the inſtitution of Biſhops, and ſpeaking ſtill with the ſame ambiguity, he concluded in the ende, that the queſtion was boundleſſe. Afterwards exhorted the Fathers to leave it, and himſelfe gave a forme to the Canon, in which the words, *jure divino*, were omitted; and, in ſtead of them, it was ſaid, *Inſtituted by* Christ.

The French Prelates, who ſpake then after *Loraine*, and the daies following, uſed not the ſame ambiguity nor the ſame reſpect towards the Apoſtolike *Sea*, but maintained openly, that the authority of Biſhops was, *de jure divino*, alleadging the reaſons, delivered by the Cardinall, and expounding them; who howſoever, while they ſpake, leaning his head upon his hand, as if he had been diſpleaſed, yet they noted him for ambition, as if he had purpoſely procured a Comment to be made upon his opinion. But the Spaniards were not ſatisfied with the Frenchmen, though they did openly defend their opinion, as well becauſe the Cardinall had ſpoken ambiguouſly, as for that he and the other Prelates did not hold the inſtitution and ſuperiority of Biſhops *de jure divino* to be neceſſary to be determined in Councell, but rather that it ought to be omitted. And they were more diſpleaſed with the forme of the Canon, propoſed by the Cardinall, in which the words, *de jure divino*,

divino, were left out, howsoever, more for their satisfaction, then for any other respect, these words were put in, That they are instituted by CHRST. 1562

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The Frenchmen and Spaniards had the same end, to provide against the ambition and avarice of the Court, which did domineere at their pleasure, with precepts, unprofitable, and of no fruit, and drew a great quantity of money from Christian nations, by collation of Benefices, and dispensations. But the Spaniards judged, in regard of the devotion which the people of their Countrey beare to the Pope, and of the inclination of the King, and of his counsell, abhorring novities, if this had been done directly, and openly it would have raised a scandall, and could not have been effected, and that the Pope would easily have interposed so many difficulties with the Princes, that they should never have been able to come to the declaration thereof; but that according to the custome of that nation, they ought to take their aime afarre off, and, by declaring that jurisdiction and residence are from CHRIST, and *de jure divino*, to put that order in reputation with the people, to withstand the violent courses which the Court of *Rome* might take against their persons, that so in progresse of time, they might have meanes to reforme the Churches, for the service of GOD, and tranquility of the people, restoring the liberty usurped by the Romans.

But the French-men, who by nature doe proceed openly, and with passion, esteeme these Arts vaine. They said, there would not want meanes at *Rome* to make them unprofitable, and that they requried so much time before they could be brought to effect, that no good hope could be conceived of them; that the true meanes was, without art, directly and plainely to rush downe the abuses which are too cleare and manifest, and that there was no greater difficulty to obtaine this which was the principall end, then there was to obtaine the pretence, which, being ordained, would be as much as nothing. And their councels were no lesse different in another particular also. They all agreed; in judging it necessary that the execution of the Decrees of the Councell should be so firme and stable, that it might not be altered. But there was some difference betweene the French-men and Spaniards, about the manner how to order that the Decrees of the Councel might neither be derogated from, nor altered by the Pope, by *dispensations*, *non obstanties*, and such other clauses of *Rome*. And therefore the Frenchmen dissigned that the superiority of the Councell above the Pope should be decided, or a constitution made, that the Decrees thereof could neither bee derogated from, nor dispensed with, which would be an absolute remedy. The Spaniards thought it a hard point, and therefore not to be attempted, because the Pope would alwaies be favoured by Princes, when he should complaine that his authority was diminished, and would be assisted by the greater part of the *Italian* Prelates, in regard of the dignity of their Country, and for many private interests. And, for themselves, they thought it sufficient that the Councell should make the Decrees, purposing afterward to obtaine a *pragmatique* from the King upon them, by which meanes they would so be established, that the Popes dispensations to the contrary could not enter into *Spaine*.

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The Legates dispatched an expresse Currier, with a copy of the proposition of the Cardinall of *Loraine*, and of the animadversion of some Canonists made upon it, shewing that the Papall authority was in question, demanding that order should be sent them what to doe. Whereof the Cardinall, when he knew it, was very sensible, and complained that having given the copy before he spake in the Congregation, and the Legates seeming to be pleased, they had afterwards shewed so much distrust of him. He said he thought it strange, that feare was apprehended by every thing that either himselfe, or any of the French Prelates said, or did. He complained that his Nation was wronged by the Italians, affirming, that, with his owne eares, he had heard some Italian Prelates scornefully use that scurrile Proverbe, which was already made common throughout all *Trent*, that is, That *from the Spanish scab, we are fallen into the French poxe*: of which the other Frenchmen did complaine upon every occasion, and the Spaniards also. Whose complaints, as the custome is did more incite the curious; and the suspicions and diffidences betweene the Nations did, with very great danger, increase: neither were the Legats and wiser sort of Prelates able to stop the motion, though they opposed both with authority and with perswasions.

The Legates send the proposition of the Card. of *Loraine* to *Rome*.

Wherewith he is displeased.

A disgracefull proverbe in *Trent*.

The French-men, being provoked, did resolve to make proof of their liberty, and agreed that, in the Congregation of the seventh day, the Cardinall of *Loraine* should not be present, and that their Prelates who were to speake should use freedome, and that, if they were reprehended, their Ambassadours should protest; and *Lansac*, that they might know it and beware, in presence of many of them, said to *Antonius Lecius*, Bishop of *Orange*, one of the speakers, that hee ought to speake freely, and without feare, and that the Kings protection was sufficient to maintaine him. This being reported to the Legats, was a cause that they were heard with much patience, though they said that the institution and jurisdiction of Bishops was *de jure divino*, as well as that of the Pope, and that there was no difference, but in degree of superiority, and that the Popes authority is confined within the limits of the Canons, relating, and commending the stile of the Parliaments in *France*; that, when any Popes Bull is presented which containeth any thing contrary to the Canons received in *France*, they pronounce it to be abusive, and forbid the execution. This liberty made the Papalins use more respect in their speeches, though the Proverbe pleased them so well, that sometimes some of the merry Prelates could not forbeare to use it.

The French opinion concerning the Popes authority.

The pretence for the absence of the Cardinall of *Loraine*, was the advice of the death of the King of *Navarre*, which came to *Trent* that day. This Prince, wounded with a bullet at the siege of *Roan*, in September, was never well cured, and at the last, died. Neere unto his death, he received the Communion after the Catholike manner, at the perswasion of his Phisitian *Visentius Laurus*, and afterwards wavered towards the doctrine of the Protestants, and so died the tenth of November. This accident made a great mutation in the Councell; and *Loraine* did suddenly change all his designes. For that King had a principall hand in the Commissions given to the

The death of the King of *Navar* made a great change in *Trent*, and in *France*.

the Cardinall at his departure, so that he was uncertaine whether, after his death, the Queen, and others, would continue in the same heat. Besides, he saw a manifest change in the whole government, and therefore desired to be in *France*, that himselfe might beare part of it also. For the Prince of *Condé* being in open dissention, distrusting the Queene and those who had power with her, the Cardinall of *Bourbon* uncapable, *Montpensier* in small credit, the *Constable* old, of whom many also were emulous, he had a great conceit that his brother might be the Chiefe for Armes, and himselfe for counsell. And he ruminated these things in his minde, thinking but little of the Councell, and of *Trent*, where he was. The other French-men said openly, they ought to thanke God for the death of the King, because he began to waver, and to joyne his owne interests with those of his brother, and of the other *Hugonots*. 1562

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The next day, being the eighth of December, was all spent in ceremonies, for the election of *Maximilian* King of the Romanes. The Arch-bishop of *Prague* sang the Masse of the holy Ghost, with the assistance of the whole Councell: the Bishop of *Tininia* made a Sermon, in commendation of the Prince, and the Cardinals and Ambassadours were invited by *Prague*. The coronation of the King of Bohemia.

So soone as the Diet was assembled in *Francfort*, the Prince of *Condé* sent, not only to demand assistance from the Protestant Princes, but also to treat an union of the *Hugonots*, with those of the confession of *Ausburg*; and in particular, to make a joynt demand for a free new Councell, in which the resolutions of *Trent* might be examined, the French-men of the old Catholike Religion giving hope also that they would agree unto it, because it had been promised to the Ambassadour of *France*, (who afterwards was created Cardinall *della Bordissiera*) that it should be done. But the Dutch Protestants were most averse from the Councell, so long as *Germany* might be in peace without it. And therefore a booke was printed in *Francfort*, full of excuses, and reasons, why they neither would, nor could come to *Trent*, with protestation of the nullity of all that was, and would be done in that place.

The King was first anointed, and crowned King of *Bohemia*, in *Prague*, in presence of his father, the Emperor, by that Arch bishop who went from *Trent* into *Bohemia*, to performe that ceremony that the King might have a voyce in the Imperiall Diet. Being come to *Francfort*, they were forced to expect untill the Canons of *Colen* had elected their Arch-bishop, because that Sea was then void, so that the Princes had much time to handle many matters, expecting still in that place, that the number of seven might be full, by the Coronation in *Bohemia*, and the election in *Colen*. They were troubled in *Rome* with these things, and afraid, that the Diet would send to *Trent*, to protest, and that some new forme would be used in the coronation, and the old abolished, which would shew an inclination to depart from the ancient Rites; or that some promise would be made, by the new King, prejudiciall to the Popes authority. But the Emperour, and the King used much Art to divert the handling of points of Religion before the Election, which was made the 24 of November, and the coronation the last of that moneth. In which the Electors, and other Protestant Princes stood- The election of the King of the Romans.

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at the *Masse* untill the Gospell was read, and then they went forth. This only was new. But the Popes *Nuncio* tooke place above the Electors and Ambassadours. The Coronation being past, the Emperour began to practise with some of the Protestants, that they would adhere to the Councell of *Trent*; who, not to be prevented, assembling themselves together, presented to the Emperour the answer, promised 20 moneths before to his Ambassadours, in the assembly at *Namburg*, which was deferred untill then. In which having declared the causes why they had, in many Imperiall Diets, appealed and did appeale againe unto a free Councell, they added the conditions, which they held to be necessary, with which they offered to assist in a future generall Councell. 1. That it should be celebrated in *Germany*. 2. That it should not be intimated by the Pope. 3. That he should not preside, but be part of the Councell, subject to the determinations thereof. 4 That the Bishops and other Prelates should be freed from their oath given to the Pope, that they may freely, and without impediment, deliver their opinions. 5. That the holy Scripture might be judge in the Councell, and all humane authority excluded. 6. That the Divines of the States of the *Augustan Confession*, sent to the Councell, might not only have a consulting, but deciding voyce also, and might have a Safe-conduct, both for their persons, and for the exercise of their religion. 7 That the decisions in Councell, should not be made, as in Secular matters, by plurality of voices, but the more sound opinions preferred, that is, those which were regulated by the word of God. 8. That the acts of the Councell of *Trent* should be made void, because it is partiall, celebrated by one part only, and not governed according to promise. 9. That if a concord in religion cannot be concluded in the Councel, the conditions of *Passau* may remaine inviolable, as also the peace of religion, made in *Ausburg*, in the yeere 1555. may continue in strength and force, and every one bound to observe it. 10. That, concerning the foresaid conditions, a fit and sufficient caution be given. The Emperor, having received the writing, promised to labour for concord, and to use meanes that the Councell may be celebrated, where they cannot refuse, with reason to assist, so that on their part they would lay aside hatred and passion, which are contrary to Christian peace. And, to this end, he offered to go in person to *Trent*, and resolved to passe to *Isprue*, so soone as the Diet was ended, where being distant from *Trent* but foure small dayes journey, he might in a short time effect whatsoever was necessary.

Conditions required by the Protestants in *Germany* before they would assist the Councell.

But in Councell the Prelates having made an end of giving voices concerning the Institution, so much discussed: no resolution was made, because the Legats did expect it from *Rome*: But they gave forth the Canon of Residence, having first imparted it to the Cardinal of *Loraine*, which was, as was said before, without the declaration whether it was *de jure divino*, or no, but with rewards and penalties. And *Loraine* giving his voyce first, said it was necessary to grant power to the Bishops to absolve from cases reserved *In cœna Domini*: which he protested he spake, not to diminish the authority of his Holinesse, but because, having seen in *France* that no transgressor thereof did care to go or send to *Rome* for absolution, he thought it worse, both for the soules of the people, and for the dignity of the Apostolique *Sea*, to leave

leave them in thoſe cenſures. He added alſo that he thought it not fit ſo to tye Biſhops to reſidence, that they might be abſent for juſt cauſes, which were to be referred to the judgement of his Holineſſe. He ſaid moreover, that the publike employments in the affaires of Kingdomes, and republikes, were to be accepted, becauſe they ſeeme not to be aliene from the Epiſcopall charge, eſpecially in Kingdomes, where the Eccleſiaſticall order is a member of the State, as in *France*, and the Kingdomes of *Spaine* alſo. The Cardinall was very prolixe; and howſoever he repeated often that Reſidence was neceſſary, and that it was fit to make proviſion for it, yet he interpoſed ſo many exceptions, and excuſes, that, in the end, no man could judge whether he would have any conſtitution to be made for it or no. 1562 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9 PHILIP 2.

The Legats imparted the Articles of reformation for the future Seſſion to the Ambaſſadors alſo, according to promiſe, before they were propoſed in Congregation; which were all for remedies of the abuſes in the Sacrament of *Order*. And therefore the *French* Ambaſſadours and Biſhops met in the houſe of *Loraine*, to conſider of them, and deputed foure Biſhops to examine whether anything was contained in them prejudiciall to the priviledges of the *French* Church, or whether any thing might be added for the ſervice of their Country, and withall they gave order to the Ambaſſador *de Ferrieres*, to collect, in Congregation of the ſame Biſhops, all the reformations, formerly propoſed in *Trent*, under *Paulus*, and *Julius*, and in the preſent Councel alſo, and in the Congregation of *Poiſi*, to make an abſtract of them, and, adding unto them thoſe which were contained in the Kings inſtructions, and whatſoever ſeemed good unto them beſides, ſhould compoſe Articles for all Chriſtendome, and *France* eſpecially.

But the Imperialiſts, ſeeing that none of the Reformations mentioned by them were propoſed, called together all the Ambaſſadors. *Prague* ſpake unto them, and told them, that much time was conſumed in Councell with doing of nothing; that the Legats had often promiſed to handle Reformation, and yet they were entertained with ſpeculations, or with proviſions againſt ſmall abuſes; that it was time to make an effectuall inſtance that they would begin to handle important and urgent matters, and that if all would joyne in requeſting the execution of ſo many promiſes, made by the Pope and the Legats, there might be hope to obtaine. All conſented; but when they came to particulars, they were ſo different, that they could not agree but in the generall, only to demand a Reformation. Whereupon it was reſolved, that *Prague*, in delivering his voyce, ſhould deſire it, in the name of all; and ſo he did.

And, in the matter of reſidence, he ſaid in few words, that the entertainments being taken from the Prelates, which they enjoy in the Courts of *Rome* and other Princes, any Decree would ſuffice. The opinion of the Arch-biſhop of *Otranto* was, that the Decree of the ſaid Councell under *Paul* the third was ſufficient, adding only the Popes Bull, dated the fourth of *Sept.* 1560. Others demanded that the cauſes of abſence, which the Synod deemeth to be lawfull, ſhould be expreſſed, becauſe the greateſt difficulty is like to ariſe upon this point. The Bull, named by *Otranto*, did containe a command of perſonall reſidence, under the penalties, declared by the Councell,

1562 cell, and foure graces to thoſe which reſide. That is, that they may not be cited to the Court, but with Commiſſion ſigned by the Pope. That they ſhall be free from all impoſitions, ordinary and extraordinary, though impoſed at the petition of Princes. That they may exerciſe juriſdiction againſt every Secular Clerke, or Regular, dwelling out of his Cloyſter. That no appeale may lie from their ſentences, but only from the definitive. Others were content with the Decree; as it was propoſed by the Legats, but with ſome alteration, all fit for their owne reſpects, which were as many as there were perſons. Some required that the declaration *de jure divino*, might be made. And there was a fourth opinion, that although it be *de jure divino*, yet it was not fit to make declaration thereof.

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The ſuffrage of the Biſhop of *Veglia* concerning reſidence.

The Cardinall of *Loraine* aſſembled the *French* Prelates to diſpute upon this point; who concluded uniformely, that it was *de jure divino*. The Biſhop of *Angiu*, was the firſt that gave his opinion ſo, and all the reſt did follow him. But in the generall Congregation of the Synode, the Prelates were unſpeakeable tedious; whereof the Cardinall of *Loraine* complained to the Legats, deſiring to have thoſe matters diſpatched, that they might come to the reformation, repeating the words ſo often uſed, that if ſatisfaction be not given them in *Trent* they will take it at home.

Friar *Albertus Duimius* Biſhop of *Veglia*, alleadging that the point of Reſidence was diſcuſſed in the Councell under *Paul* the third, and the deciſion deferred untill another time, ſaid, that therefore it was neceſſary to ſee the reaſons then alleadged by the Prelates; that now they had given their voices without alleadging reaſons, which himſelfe would not doe, eſteeming reaſons more then authority and multitude of opinions. And then he began to recite all the reaſons for proofe that it is *de jure divino*, and to reſolve the contrary. He inſiſteth much upon the ſaying of CHRIST, *A good ſhepherd goeth before the flocke, calleth every ſheepe by name, runneth through the deſert to ſeeke that which is loſt, and layeth downe his life for them*. He ſheweth that this was underſtood of all thoſe whom CHRIST hath inſtituted *Paſtors*; which are all thoſe who have cure of ſoules, eſpecially the Biſhops, as Saint *Paul* ſaid and wrote to the *Epheſians*, that whoſoever did hold himſelfe not to be bound by the Decree of CHRIST to performe theſe offices, or was more fit for the affaires of Kingdomes, or Common-wealths, ought to leave the charge of a *Paſtor*, and apply himſelfe to thoſe matters only; that it was very much to performe one charge well, but to performe two, which be contrary, is impoſſible. His prolixity did not pleaſe the Cardinals, becauſe he was the firſt that diſputed that matter with reaſon. He ſpake with great vehemency, uſing many phraſes and words, taken out of Saint *Hierome*. *Simoneta* would willingly have interrupted him, but forbare, in regard of the occurrence of the Biſhop of *Guadice*. But he called him, in the preſence of many Prelates, and reprehended him ſharply for ſpeaking againſt the Pope. The Biſhop defended himſelfe humbly, and with reaſons: and a few dayes after, alleadging indiſpoſition, asked leave to depart, and had it, and departed the one and twentieth of the moneth.

Who quiteth *Trent* for feare.

The Prelates are terrified with the Popes authority.

After this time the controverſie about reſidence changed ſtate, and thoſe who did abhorre it, did labour no more to demonſtrate by reaſons or authority

rity, as untill then they had done, that it was of the law of man, but began to terrifie thoſe of the contrary opinion, by ſaying, that to maintaine that it was *de jure divino*, was to diminiſh the Popes authority; becauſe it would follow that he could not enlarge or diminiſh, divide or unite, change or transferre Epiſcopall Seas, nor leave them vacant, or gave them an adminiſtration, or *commenda*; that he could not reſtraine, much leſſe take away the authority to abſolve; that, by this determination, all diſpenſations granted by Popes, were condemned at once, and power taken away to grant them hereafter. The other part, who ſaw the neceſſity of thoſe conſequences, which they thought were not unfit, but that it was the truth, and the lawfull uſe of the ancient Church, and that the declaration was propoſed for no other end then to remove thoſe inconveniences, themſelves alſo omitting to uſe reaſons and authority, to proove it to be *de jure divino*, began to ſhew, that reſidence being reſtored by that declaration, it would turne to the inlargement of the Popes power, and increaſe the reverence towards the Clergie, and eſpecially towards the Pope, who hath loſt authority in ſo many Provinces, becauſe Biſhops not reſiding, but governing by unable Vicars, have left a way open for the ſowing of new doctrines, which with ſo much detriment of the Popes authority, have taken root. If Biſhops doe reſide, his authority will be preached every where, and confirmed where it is acknowledged as yet, and reſtored where it hath been ſhaken. Neither of the parties could ſpeake with ſuch termes, but that their diſſimulation was perceived on both ſides, and their inward thoughts, which they would have concealed, were but too manifeſt. They were all masked and yet all knowne. Being aſſembled againe the ſixteenth of December, one halfe of the Prelates having not as yet given their voyces, Cardinall *Seripando* propoſed the prorogation of the Seſſion; and being not able then to foreſee when they could diſpatch, they reſolved to prefixe a certaine time, within fifteen dayes. And the Cardinall admoniſhed the Prelates of their great prolixity, in giving their voices, which did aime only at oſtentation, took away the reputation of the Councell, and did prolong it, to the great incommodity of them all.

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The Pope was much afflicted with the death of *Frederick Boromeo* his nephew, which happened in the end of the laſt month; upon whom thinking to conferre all the greatneſſe of his houſe, he had married him to a daughter of the Duke of *Urbin*, made him generall governour of the Church, and purpoſed alſo to give him the Dukedome of *Camerino*, and becauſe he was old, and oppreſſed with griefe, he fell into a dangerous ſickneſſe; out of which being recovered, he applyed his mind to the affaires of the Councell. He held divers Congregations, to finde a temper concerning the two Canons, of the Inſtitution, and of Reſidence, which were thought by all the Court to be very dangerous for the Popes authority; as alſo to make ſome proviſion againſt the prolixity of the Prelats, in delivering their opinions, becauſe it did prolong the Councell, and left a gate open for all thoſe to enter, who would attempt any thing againſt his dignity. Above all, that which was deſigned by the French-men did trouble him, eſpecially, becauſe he did never receive letters from *Trent*; in which it was not ſaid, that either the Cardinall of *Loraine*, or ſome of the Ambaſſadours did make requeſt for reformation,

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formations, with this addition, that if they could not obtaine those provisions they demanded, they would make them at home, making mention often of providing against the *Annats, preventions*, and other things properly belonging to the Pope of *Rome*. He resolved to deale plainly with the Frenchmen; and to those which were in *Rome* he said, that, having so often offered to treat with the King concerning his owne rights, and to come to a friendly composition, and seeing that his ministers in the Councell doe alwayes make shew that they will speake of them in the Synod, he was resolute to see whether he would breake out into any open dissention with him. He gave order, by an expresse Currier, to his *Nuncio* in *France* to speake hereof; and wrote to the Cardinall of *Loraine*, that those matters could not be proposed in Councell, without breach of the Kings promises, expresly made unto him, by *Monsieur d'Auxerres*. He complained in Consistory of the impertinency of the Bishops in *Trent*, in making every thing long, to no purpose. He exhorted the Cardinals to write to their friends, and himselfe wrote to the Legats, to use threats and authority, seeing that persvasions did no good. Concerning the Articles of the Institution he wrote, that to make the institution of Bishops absolutely *de jure divino*, was a false opinion, and erronious; because the power of *Order* was from CHRIST, but of jurisdiction from the Pope, which, in this respect, may be said to be from CHRIST, because the Papall authority commeth from his Divine Majesty, so that whatsoever the Pope doth, CHRIST doth by him. And, for a resolution, he wrote, that either the words *de jure divino*, should be quite omitted, or they should be used in that forme which he sent, in which it was said that CHRIST did institute Bishops to be created by the Pope, who may distribute to them what and how much authority it pleased him to give them, so the benefit of the Church, having absolute power to restraine and amplifie that which is given, as seemeth good unto him. Then he wrote, that, in the particular of Residence, it being a cleere case that the Pope hath power to dispense, they should, by all good caution of words, reserve his authority in the Decree, in which the words *de jure divino*, could by no meanes be put; as *Catharinus* had well prooved, from whose opinion, being Catholique, they ought not to depart. For holding the Session, he wrote confusedly, that it should not be deferred above fifteene dayes, nor celebrated before the matter were in order, that the envious might not take occasion to calumniate.

The Duke of *Bavaria* sendeth Ambassadours to *Rome*.

A solemne Ambassage from the Duke of *Bavaria* passed by *Trent* to goe to *Rome*, to obtaine of the Pope the Communion of the Cup. They had audience with the Legats, and secret conference with the Cardinall of *Loraine*. This wakened the controversie in that matter, which was asleepe; and the Spaniards, and many Italians, (howsoever the matter was referred to the Pope by the major part) said it would be a prejudice to the Councell, if, while that lasted, that use should be permitted. And all the Fathers were in a hurly burly, because letters came from *Rome* to divers Prelates, that the Councel should be suspended, which report was confirmed by *Don Iohn Manriques* who passed by *Trent*, from *Germany* to *Rome*. But the Legats, having received the Popes letters, thought it impossible to execute the orders he

he had ſent, and that it was neceſſary to give him a more particular account of the occurrences, than could be done by writing, & make him underſtand that the Councell cannot be governed as at *Rome* they think it can, that they might receive a more plain inſtruction from his Holineſſe what they ſhould do. And it being neceſſary to ſend a man of judgement, well informed, and of credit with the Pope, they found none better then the Biſhop of *Ventimiglia*, whom they reſolved to diſpatch with ſpeed. The Holy-dayes of Chriſtmas approaching gave them fit occaſion firſt to proceed ſlowly, and afterwards to intermit the Congregations and ſo to have leaſure to make that diſpatch; which was done the ſixe and twentieth of *December*.

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The Legats ſend the B. of *Ventimeglia* to the Pope.

The eight and twentieth, newes came to *Trent*, of the battell in *France*, which hapned the ſeventeenth of the moneth, in which the Prince of *Condé* was taken priſoner. That Kingdome was very turbulent all that yeere, for the differences of Religion, which gave a beginning firſt unto a gentle, and afterwards unto a furious warre. For the *Hugonots* increaſing in *Paris*, to the great diſcontent of the Catholikes, who are many in the City, and adhering to the Prince of *Condé*, the *Conſtable*, with his ſonnes, and the houſe of *Guiſe*, with ſome others, to hinder the greatneſſe unto which that Prince did aſpire, made a league, and deſſigned to make themſelves leaders of the people of *Paris*, and to chaſe, by their meanes, ſom that City and the Court, the Prince and his followers. Each of them departing from his houſe, to goe towards *Paris*, and in their journey ſlaying and diſperſing the *Hugonots*, whom they found aſſembled in divers places, they entred into *Paris*; and, having drawne the King of *Navarre* to their ſide, and cauſed the City to arme in their favour, the Queene was conſtrained to joyne with them. Hereupon the Prince going out of *Paris*, and retiring, with his adherents to *Orlience*, *manifeſts* and writings paſſed on both ſides, each proteſting they did nothing but for the liberty and ſervice of the King. But the *Conſtable* and *Guiſe* waxing every day ſtronger, in Aprill the Prince wrote to all the reformed Churches of *France*, demanding ſouldiers, and money, and declaring war againſt the defenders of the Catholike party, calling them perturbers of the publike quiet, and violaters of the Kings Edict, publiſhed in favour of the Reformatiſts. The Princes letters were accompanied with others of the miniſters of *Orleans*, and of ſome other Cities, which cauſed thoſe of that religion to arme. And there fell out an accident which did incite them more. For at the ſame time the Edict of January (whereof we have already made mention) was publiſhed againe in *Paris*, with an addition, that neither in the Suburbs of the City, nor within the ſpace of a league any aſſembly of Religion ſhould be held, or Sacraments adminiſtred but after the old *Rite*. And in the end of May the King of *Navar* made all the Reformatiſts go out of *Paris*; but proceeded with ſuch moderation, that none of them were offended.

The battell & other troubles in *France*.

Warre brake forth in all the Provinces of *France*, betweene theſe parties, and that ſummer there were at the leaſt, fourteene formall Armies, all at one time, in divers parts of the Kingdome. The ſonnes fought againſt their fathers, brothers againſt brothers, and even women tooke Armes on both ſides, for defence of their religion. There was almoſt no part in *Dolphinie*, *Languedoc*,

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Languedoc and *Gaſcoigne*, which was not vexed oftentimes, the Catholiques, remaining conquerours in ſome places, and the Reformatiſts in others, with ſuch variety of accidents, that it would be tedious to repeat them, and beſides our purpoſe, which requireth that nothing ſhould be related by us but concerning *Trent*, except thoſe which have a connexion with the Councell, as the things following have. Where the *Hugonots* overcame, the images were beaten down, the altars deſtroyed, the Churches ſpoyled, and the ornaments of gold and ſilver melted, to make mony for ſouldiers pay; where the Catholiques were conquerors, they burned the Bibles in the vulgar tongue, rebaptized children, and remaried thoſe who had been maried according to the new ceremonies. And the condition of the Clergy on both ſides was moſt miſerable, who, whenſoever they were taken, were cruelly murthered, without all humanity. In July the Parliament of *Paris* made a Decree, that it ſhould be lawfull to ſlay all the *Hugonots*, which, by publike order, was read every Sunday in every Pariſh. Afterwards they added another, declaring them rebels, publike enemies, themſelves infamous, and all their poſterity, and the goods of thoſe who took armes in *Orliens* confiſcated, except *Condé*, upon pretence that they held him by force. And howſoever there were many treaties between the parties, and a verball conference alſo between the Queen Mother, and the Prince, yet ſuch was the ambition of the Grandies, that it was impoſſible to find out any meanes of compoſition.

A bloody decree made by the Parliament of *Paris*.

The *Low-Countreys* do imitate *France*.

But the King of *Navar* being dead, who perhaps would not have ſuffered them to proceed to an open war, the Queene reſolving to regaine obedience with armes, demanded aide of all the Princes. And becauſe the people of the Low-Countreys did learne, by this example, to bee more contumacious, and obſtinate, the Kings authority diminiſhed every day & could not be repaired by the Governors. And the King refuſed to go thither to oppoſe his perſon againſt the ill diſpoſition of the people, and the deſſignes of the Grandies, as *Granuel*, the chiefe in that Government, had given him counſell. For that wiſe King knew how dangerous it was to be contemned to his face, and doubted that, in ſtead of gaining *Flanders* he ſhould make it more contumacious, and, in the meane while looſe *Spaine*. But he thought that by ſubduing the *Frenchmen*, who rebelled againſt their King, he might make an abſolute proviſion againſt the contumacy of his owne ſubjects. And therefore he offered the Queen great aſſiſtance of men and money, ſufficient to ſubject the whole Kingdome unto her. But the Queene refuſed the men and demanded the money, knowing that if ſhe had received a *Spaniſh* army, ſhe ſhould have been forced to governe *France*, not according to her owne intereſts, but of the King of *Spaine*. Yet taking a middle courſe, ſhe received ſix thouſand men, with which, and with her owne forces, conducted by the *Conſtable*, and the Duke of *Guiſe*, the battell was made the ſeaventeenth day aforeſaid, in which three thouſand *Hugonots*, and five thouſand Catholikes were ſlaine, and the Generals on both ſides, *Conde* and the *Conſtable* taken priſoners. Neither of the armies were diſcomfited, by vertue of the Lieutenants on both ſides, *Guiſe* for the Catholikes, and *Coligni* for the *Hugonots*. The Queene did make *Guiſe* the Generall, which did not deterre

The Queene-mother refuſeth the Spaniſh Army.

terre *Colligni* from maintaining his army, preſerving the places he poſſeſſed, and making ſome progreſſe alſo. 1562

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For this victory (for ſo it was called, though it deſerved not the name) thankes were given to God in *Trent*, by all the Fathers aſſembled together making a proceſſion and ſinging a *Maſſe*, *Franciſcus Belcarrus* Biſhop of *Metz*, made an Oration alſo, in which, relating all the ſtory of the confuſions of *France*, ſince the death of *Francis* the ſecond, and the ſucceſſe of the laſt warre, he gave the praiſe of all that was well done to the Duke of *Guiſe* only. He ſaid *Martin Luther* was cauſe of all thoſe troubles, who, though but a little ſparke, had raiſed a great fire, firſt in *Germany*, and afterwards in all the Provinces of Chriſtendome, except *Italy* and *Spaine*. He exhorted the Fathers to aſſiſt the Chriſtian common-wealth, becauſe they only were able to extinguiſh that flame. He told them that this was the ſixe and twentieth yeere ſince *Paul* the third began to heale this diſeaſe, by intimating the Councell there; which was firſt deferred, then diſſembled, and finally celebrated with divers factions, untill it was transferred to *Bolonia*, where there were many dilations, and greater contentions, and more bitter factions then before. Afterwards it was recalled to *Trent*, and, by reaſon of the warres diſſolved. Now that they were come to the laſt, there was no more place for diſſimulation, becauſe the Councell would either reconcile the whole world, or caſt it headlong into an infallible ruine. Therefore it was fit that the Fathers ſhould not regard their private intereſts, nor have particular deſignes, nor ſpeake in favour of others, in regard the cauſe of religion was in queſtion,, which will be utterly overthrowne, if they caſt their eye upon any thing beſides. This liberty of ſpeech he tempered with flattery, firſt towards the Pope, then towards the Emperour, Kings of the Romanes, and of *Polonia*. He paſſed to the commendations of the Queen Mother of *France*, and of the King of *Portugal*, and, in the end, exhorted them to reforme the Eccleſiaſticall diſcipline.

Solemnities are uſed in *Trent* for the victory in *France*.

The Cardinall of *Loraine*, having received newes of the impriſonment of the Prince, was very glad, particularly for the honor of his brother, and deſired the more to returne quickly into *France*, to aſſiſt him in the Court and in the Kings Councell, and to raiſe himſelfe alſo one degree higher, in regard *Navar* and the Conſtable, to whom he was neceſſarily to yeeld were both taken away.

The Pope was full of ſuſpicion for the journey to *Iſpruc*, which the Emperour had publiſhed, thinking he would not goe thither without great deſignes, and without aſſurance to effect them. He beleeved he had ſecret intelligence with *France* and *Spaine*, but knew not to what ende, but onely in generall, that it was a plot againſt him. Therefore he reſolved to goe in perſon to *Bolonia*, to ſend eight or tenne Cardinals to *Trent*, to make greater alliance with the Italian Princes, and to confirme the Prelates his adherents in Councell, untill he could finde ſome occaſion to diſſolve or ſuſpend it. And, to hinder all treaties in *Trent* of reforming the Court, he laboured much himſelfe in that buſineſſe. He reformed the *Rota*, publiſhing a *Brieſe*, dated the ſeven and twentieth of December, in which he ordained, that no *Auditor* ſhould proceed to a definitive, howſoever the caſe

The Pope is troubled that the Emperour will go to *Iſpruc*

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might be plaine, before he made the propoſition to the whole Colledge, without conſent of the parties; that the ſentences propounded in writing, ſhould be produced within fifteene dayes; that the cauſes of the *Auditors* themſelves, or of their kinsfolke unto the ſecond degree, or of any of their family, ſhall not be heard in the *Rota*, that the perſons ſhall not be forced to receive an Advocate; that no deciſion ſhall be made againſt thoſe which be printed, except two thirds of the voices doe conſent: that they ſhall be bound to remit every cauſe which ſeemeth to be criminall. In the ſame Bull he made alſo a taxe for moderation of fees. He reformed likewiſe by other Bulls, publiſhed the firſt of the next January, the ſignature of Juſtice, the tribunals of *Rome*, the office of the Friſcall Advocate, ordaining what fees they ſhould have. But the uſuall extortions were ſo farre from being redreſſed by thoſe proviſions, that by tranſgreſſing the new orders, they learned to violate the olde which were in ſome uſe.

The Courtiers in *Rome* thinking the Catholikes in *France* had gotten an abſolute victory: and that the *Hugonots* were reduced to nothing, were exceeding glad. For beleeving that *France* had obtained that by Armes which it expected from the Synode, and there being no further regard to be had of *Germany*, which proteſted againſt it, they thought that all cauſes of holding the Councell were ceaſed, ſo that it might be ſuſpended or deferred, and themſelves delivered from feare, which had increaſed every weeke, by reaſon of the novities which happened in *Trent*. But the Pope made no great matter of it. For being informed that the Catholike forces were not augmented, nor the *Hugonots* diminiſhed, and that this battell would give occaſion to treate a peace, which could not be without his prejudice, nor without giving matter of more novities in *Trent*, he was more affraid and troubled then before. And the yeere 1562. ended thus; a Congregation in *Trent* having beene held the thirtieth of the moneth, in which it was reſolved to prolong the Seſſion, and appoint a day for it within fifteene dayes.

1563 The Articles of Reformation.

The yeere 1563. began in Councell with the preſentation of the Articles of reformation made by the French Ambaſſadours, which ſeemed very hard to the Legats and all the Papalins; eſpecially in thoſe particulars in which they would have the *Rites* of the Romane Church altered, and in which the emoluments and profits, which the Apoſtolike *Sea* received from other Churches, were touched. The Ambaſſadours added the uſuall *Appendix*, not to call it a proteſtation, that, if their propoſitions were not imbraced, they would provide for their neceſſities in *France*. The Legats were ſure the Pope would be vexed herewith, in regard of the promiſe made unto him, that they would not treat in Councell of the *Annats*, and other pecuniary *Rites*, but friendly compoſe the matter with him. Therefore they thought it neceſſary to ſend them to him by a Prelate, and to informe his Holineſſe. And they elected the Biſhop of *Viterbo*, as being well inſtructed in the affaires of *France*, where he had beene *Nuncio* many yeeres, and in the deſignes of the Cardinall and French Prelates of the Councell, with whom he had converſed ſince their arrivall. The Cardinall of *Loraine*, informed hereof, perſwaded them to doe ſo,

The Biſhop of *Viterbo* ſent to the Pope.

and

and himselfe gave him instructions, to speake with the Pope. The Bishop was so nimble, that howsoever the Cardinall held that hee was sent unto him for a spie, and an observer, yet he carried himselfe so well, that he gained the confidence of him and the Ambassadours, without loosing that which the Pope and Legats had in him. The Prelate went with instruction to represent to the Pope all the difficulties which the Legats found, and to bring backe a resolution how they should governe themselves in every particular. He had instructions from *Loraine* to desire his Holinesse to take in good part that which was desired by the King for the necessity of his Kingdome, and by them to execute the commands of his Majesty, and to offer his endeavours to accommodate the differences of the institution of Bishops, and of residence, which the Councell employed in small matters. 1563 PIUS 4. FERDINAND ELIZABETH. CHARLES. 9 PHILIP 2.

The Emperours ministers, seeing the Reformation of the French-men, and considering the Proheme, thought they were noted to have but small authority. They complained to the Legats that the Articles of reformation, mentioned by the Emperour and by them, had not beene proposed, though they had given copies of them, sent them to *Rome*, and spread them throughout *Trent*; desiring they may be put together with those of the French-men. The Legats excused themselves, in regard of the liberty which the Emperor by letters, and themselves by word of mouth had given them, to propose and omit what seemed them good, adding, that they did expect a fit time, and that indeede the French-men had not found a good conjecture, while the differences of the two Canons did continue, which giveth much trouble to his Holines. The Ambassadors were not so satisfied, saying, that there was a great difference between omitting all, and a part; and betweene deferring, whiles in the meane space things are concealed with due respect, and divulging them, and putting them in derision. And *Simoneta* replyed, that it was hard to discerne which were fit to be proposed, but easie to know which were to be omitted, in the end they were content to expect what the Pope would say to the French propositions, so that afterwards theirs might be proposed. The French Prelates had consented, in generall termes, to the Articles belonging to *Rites*, and to the grievances of Bishops, which in their secret thoughts they did not approove, because they beleeved that, in the discussion of them, they should have the Spaniards, and many of the Italians their opposites; but seeing they were sent to *Rome*, they were afraid that the Pope opposing those which touched his revenues, would yeeld to the others, and by composition be content to give way to those which were prejudiciall to them, to avoyde others which concerned his owne interest. For this cause they made secret practises with the other Prelates, perswading a moderation; which being done after the French fashion, without much caution, was knowne to the Ambassadors. Therefore *Lansac* assembled them all, and reprehended them sharpely, for daring to oppose the will of the King, Queene, of the whole Councell, and of the Kingdome. He exhorted them, not only not to labour against, but to promote the Kings determination. And the admonition was very rigorous.

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But before we relate the negotiation in *Rome*, it will not be amisse to declare the substance of the French proposition, which presently was printed in *Ripa* and *Padua*, and contained: That the Ambassadours had determined long since, in performance of the Kings command, to propose to the Councell the things contained in that writing; but the Emperour having proposed almost the same things, not to importune the Fathers, they had expected to see what the Pope would resolve concerning the propositions of his Imperiall Majesty. Now having received a new commandement from the King, and seeing the instance of the Emperour deferred longer then they thought, they resolved not to make any more delay, not desiring any thing singular, or separate from the residue of Christendome; and that the King, expecting that esteeme should be held of his propositions, doth notwithstanding referre the judgement and knowledge of them all to the Fathers. The points were foure and thirty. 1. That Priests should not be ordained before they were old, and had a good testimony of the people, that they had lived well, and that their carnalities and transgressions should be punished according to the Canons. 2. That holy *Orders* should not be conferred at the same time when the inferiour were, but that every one should be approoved in these, before he ascended to those. 3. That a Priest should not bee ordained before he had a Benefice, or Ministery, according to the Councell of *Chalcedon*, at which time a presbyteriall title without an Office was not heard of. 4. That the due function should be restored to Deacons, and other holy Orders, that they may not seeme to be bare names and for ceremony only. 5. That the Priests and other Ecclesiasticall Ministers should attend to their vocation, not medling in any office but in the divine ministery. 6. That a Bishop should not be made but of a lawfull age, manners, and doctrine, that he may teach, and give example to the people. 7. That no Parish Priest should be made but of approved honesty, able to instruct the people, celebrate the sacrifice, administer the Sacrament, and teach the use and effect of them to the receivers. 8. That no Abbat or Conventual Prior should be created, who hath not studied divinity in some famous University, and obtained the degree of Master, or some other. 9. That the Bishop, by himselfe, or by other preachers, as many as are sufficient, according to the proportion of the Dioceese, should preach every Sunday and Holy day, and in Lent, on fasting daies, and in Advent, and as often as it shall be fit. 10. That the Parish Priest should do the same as often as he hath auditors. 11. That the Abbat and Conventuall Prior shall reade the holy Scripture, and institute an Hospitall, so that the ancient Schooles and hospitality may be restored to the Monasteries. 12. That Bishops, Parish Priests, Abbats, and other Ecclesiastiques, unable to performe their charge, shall receive *Coadjutors*, or leave their Benefices. 13. That concerning the Catechisme, and summary institution of Christian doctrine, that should be ordained which the Emperour had proposed to the Councell. 14. That no man should have more then one Benefice, taking away the differences of the quality of persons, and of Benefices compatible and incompatible, a new division not heard of in the ancient decrees, and a cause of many troubles in the Catholique Church; and that the regu-

The French propositions.

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lar Benefices ſhould be given to regulars, and ſecular to ſeculars. 15. That he who now hath two or more, ſhall retain that only which he ſhall chooſe within a ſhort time, or ſhall incurre the penalty of the ancient Canons. 16. That to take away all note of avarice from the Clergie, nothing be taken, upon any pretence whatſoever, for the adminiſtration of holy things, but that proviſion be made that the Curates, with two Clerks or more, may have whereon to live and maintaine hoſpitality, which may be done by the Biſhops by uniting Benefices or aſſigning tenths unto them, or, where that cannot be done, the Prince may provide for them by ſubvention, or collections, impoſed upon the Pariſhes. 17. That in pariſh *Maſſes*, the Goſpel be expounded cleerely, according to the capacity of the people, and that the prayers which the Pariſh-Prieſt maketh together with the people be in the vulgar tongue; and that, the ſacrifice being ended in Latine, publike prayers be made in the vulgar tongue likewiſe, and that at the ſame time, or in other houres, ſpirituall hymnes or Pſalmes of *David*, approoved by the Biſhop, may be ſung in the ſame language. 18. That the ancient Decree of *Leo* and *Gelaſius*, for the Communion under both kinds, be renewed. 19. That before the adminiſtration of every Sacrament, an expoſition be made in the vulgar, ſo that the ignorant may underſtand their uſe and efficacy. 20. That according to the ancient Canons, benefices may not be conferred by the Vicars, but by the Biſhops themſelves, within the terme of ſixe moneths, otherwiſe that the collation may be devolved to the next Superiour, and, by degrees to the Pope. 21. That the Mandats of proviſion, *expectatives*, *regreſſes*, *reſignations* in confidence, and *Commendaes* be revoked, and baniſhed out of the Church, as contrary to the Decrees. 22. That the reſignations in favour be wholly exterminated from the Court of *Rome*, it being as it were an election of ones ſelfe, or a demanding of a ſucceſſour, a thing prohibited by the Canons. 23. That ſimple Priories, from which the cure of ſoules is taken away, contrary to the foundation, and aſsigned to a perpetuall Vicar, with a ſmall portion of tithes, or of other revenue, be reſtored to their former ſtate at the firſt vacancy. 24. That benefices, unto which no office of preaching, adminiſtring the Sacraments, nor any other Eccleſiaſticall charge is annexed, may have ſome ſpirituall cure impoſed upon them, by the Biſhop, with the councell of the Chapter, or be united to the next pariſhes, becauſe no Benefice ought or can be without an office. 25. That Penſions be not impoſed upon Benefices, and thoſe aboliſhed which are impoſed already, that the Eccleſiaſticall revenues may be ſpent in maintaining the Paſtors and poore, and in other workes of piety. 26. That Eccleſiaſticall juriſdiction throughout the whole Dioceſſe be reſtored to the Biſhops, all exemptions being taken away, but of the chiefe governors of the Orders & Monaſteries ſubject unto them, and thoſe who make generall Chapters to whom exemptions are granted by a lawfull title, but yet with proviſion that they be not exempted from correction. 27. That the Biſhop may not uſe juriſdiction, and handle matters of great weight concerning the Dioceſſe, without the counſell of the Chapter; and that the Canons may reſide continually in the Churches, be of good converſation, learned, and at the leaſt 25 yeeres of age, in regard the lawes, not giving them the

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free diſpoſition of their goods before that time, they ought not to be made Counſellors to Biſhops. 28. That the degrees of affinity, conſanguinity, and ſpirituall kindred be obſerved, or reformed, and that it may not be lawfull to diſpence therein, but with Kings and Princes, for the publique good. 29. That, in regard many troubles have riſen by meanes of Images, the Synode would make proviſion, that the people may be taught what they ought to beleeve concerning them, and that the abuſes and ſuperſtitions, if any be uſed in the worſhip of them may be taken away: and that the ſame be done concerning *Indulgences*, *pilgrimages*, *reliques* of Saints, and of companies or confraternities. 30. That the publike and ancient penance in the Catholike Church for grievous and publike offences, be reſtored and brought into uſe, as alſo faſtings and other exerciſes of ſorrow, and publike prayers to appeaſe the wrath of God. 31. That excommunication be not decreed for every ſort of offence, or contumacy, but only for the greateſt, and in which the offender doth perſevere after admonition. 32. That, to abbreviate or quite take away ſuits of law for Benefices, which by the whole Clergie is blemiſhed, the diſtinction of *petitory* and *poſſeſſory*, newly invented in thoſe cauſes, may be taken away, nominations of Univerſities aboliſhed, and a commandement given to Biſhops, to give Benefices not to thoſe that ſeeke them, but to thoſe that avoid them, and are worthy of them: and their merit will be knowne, if, after their degree received in the Univerſity, they ſhall have ſpent ſome time in preaching, with the conſent of the Biſhop, and approbation of the people. 33. That there being ſuit for a Benefice, an *Economique* may be created, and arbitrators elected by the litigants; which in caſe they refuſe to doe, that the Biſhop may nominate, and that theſe may determine the controverſie within ſix moneths, and that no appeale may lie from them. 34. That the Epiſcopall Synods may be held once a yeere at the leaſt, and the Provinciall once in every three yeeres, and the Generall, if there be none impediment, every tenth yeere.

The negotiation of the B. of *Vintimiglia* in *Rome*.

The firſt of January *Vintimiglia* arrived in *Rome*, having made the journey in ſeven dayes. He preſented the letters to the Pope, and declared his credence, relating the cogitations and divers ends and humors which were in the Councell, and in what ſort the Legats and other good ſervants of his Holineſſe thought the difficulties ought to be managed. The Pope held a Congregation the third day, and gave account of the relation of *Vintimiglia*, ſhewed he was ſatisfied with the diligence and wiſdome of the Legats, and commended the good will of *Loraine*, and gave order that they ſhould conſult upon the point of the inſtitution of Biſhops, which did then eſpecially preſſe them. The ſixth day being the *anniverſary* of his coronation, he held another Congregation, in which he publiſhed Cardinals *Ferdinando de Medici*, and *Frederico Gonzaga*; the former to conſolate his father for the miſerable death of another Son, who was Cardinall alſo, and the other to gratifie the Legate *Mantua*, and others of the family neerely allied to him by a marriage of the Legates nephew to a Siſter of Cardinall *Borromeo*. Yet the Pope did not omit to aſſiſt at the Conſultation concerning the affairs of the Councell, and reſolved to write to the Legates, that the Canon of the inſtitution of Biſhops ſhould be thus compoſed: That the Biſhops doe hold the

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principall place in the Church, depending of the Pope of *Rome*, and that they are by him assumed, *in partem solicitudinis*. And in the Canon concerning the Popes power, that it should be said; that he hath authority to feed and governe the Universall Church, in place of Christ, from whom all authority hath been communicated to him, as generall Vicar: but in the Decree of doctrine they should enlarge the words of the Councell of *Florence*, which are, that the holy Apostolike *Sea*, and Pope of *Rome* hath the Primacy in all the world, and is Successor of Saint *Peter* Prince of the Apostles, the true Vicar of CHRIST, the Head of all Churches, Father and Master of all Christians, to whom, in Saint *Peter*, by CHRIST our LORD, hath been given full power to feed, rule and governe the Universall Church: adding, that by no meanes they should depart from that forme, which he was certaine would be received. For the substance of it being taken out of a generall Councell, he that should oppose, would shew himselfe to be a Schismatike, and fall into the censures, which, by the providence of God, having alwayes beene inflicted upon the contumacious, with the greater exaltation of the Apostolike *Sea*, he was confident that the cause of the Church would not be abandoned by the Divine Majesty, nor by the good Catholiques; and he hoped that in the mean space *Vintimiglia* would be returned, whom he meant to dispatch shortly, with more ample instructions. He resolved to go to *Bolonia*, that he might be neere, and so the better imbrace all occasions of finishing or translating the Councell, which, before they could be advised to *Rome*, did vanish. He caused a Bull to be made, and in case he should die before his returne, the election should be made in *Rome* by the Colledge of Cardinals.

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The Popes letters to the Legates.

The Currier was not so soone dispatched for *Trent* with these Letters, but *Viterbo* arrived with the French Reformation, and revived his trouble. The Pope, when he heard it first read, was extreamly impatient, and brake out into these words, that the end of it was to take away the *Datary*, the *Rota*, the *Signatures*, and finally all the Apostolike authority. But afterwards he was much pacified by the Bishop, who told that his Holinesse might be able to divert some things, and moderate others, granting some few of them. He delivered to him the instruction of *Loraine*; which was, that Princes demand many things, to obtaine those of which they have most need; which do not much concerne the Apostolike *Sea*; as the use of the Cup, use of the vulgar tongue, and mariage of Priests, in which, if his Holinesse would give satisfaction, it would be easie for him to receive honor from the Councell, and to obtaine his wished end. He shewed that many of those Articles did not please the French Bishops themselves, who endevoured to crosse them. The Pope understanding these things, gave order that the Articles should be discussed in Congregation, and that *Viterbo* and *Vintimiglia* should be present, to informe the occurrences at large; in which it was resolved, that the Divines and Canonists should write concerning those propositions, and every one deliver his opinion in paper; and to make some diversion in *France*, he gave order to *Ferrara* to release those fourty thousand crowns to the King, without any condition, and to tell him that the Proposition of his Ambassadours in *Trent*, were fit in many parts for the Reformation of the Church,

The negotiation of the B. of *Viterbo*.

1563 Church, which he desired not onely to have decreed, but to be put in execution also, yet so, as that he did not approve them all, because some were to the diminution of the Kings authority, who will be deprived of the collation of Abbies, which is a great helpe to his Majesty to reward his good servants; that the ancient Kings, having their Bishops too potent, in regard of their great authority, and contumacious against the Regall power, did desire the Popes to moderate it; but now the Ambassadors by their propositions would restore that licence, which the Predecessors of his Majesty did wisely procure to be curbed. Concerning the Popes authority, that it could not be taken away, because it was given by Christ, by whom Saint *Peter* and his successors were made *Pastors* of the universall Church, and Administrators of all Ecclesiasticall goods, that, by taking away the pensions, he shall not have power to give almes, which is one of the most principall charges which the Pope hath throughout all the world; that faculty to conferre some Benefices hath beene by favour granted to Bishops, as Ordinaries, which is not fit to be extended to the prejudice of the Universall Ordinary, which is the Pope, that as Tithes are due to the Church *de jure divino*, so the tenth of the Tithes of all Churches is due to the Pope; that, for more commodity, this hath been changed into *Annates*; that in case they were incommodious for the Kingdome of *France*, he did not refuse to find a temper, so that the right of the Apostolike *Sea* were in some convenient manner, preserved; but that, as he had often given him to understand, this could not be handled in Councell, nor by any but himselfe. In the end he gave the Cardinall charge, that having put all these things to the Kings consideration, he should exhort him to give new Commissions to his Ambasladours.

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The Pope writeth againe to the Prelates.

The Pope sent also to *Trent* the censures concerning those Articles, made by divers Cardinals, Prelates, Divines, and Canonists of *Rome*, with order that they should referre to speake of them as long as was possible; that the Article of Residence, and the abuses concerning the Sacrament of *Order*, might entertaine them many dayes; that when there was necessity to propose them, they should begin with those who were lesse prejudiciall, as those which appertaine to manners, and doctrine, deferring to treat of those which concerne Rites, and Benefices; that, in case they were forced to propose them, imparting their objections to the Prelates their adherents, they should put them in discussion and controversie, and that, in the meane while, he would give order for that which he had resolved besides. And this he wrote to the Legats.

In the end of the moneth, he delivered in Consistory, that the greatest Princes of Christendome did demand reformation, which could not be denied them, neither by true reasons, nor by pretences: and therefore that he was resolved to give a good example, and, not to faile of his duty, to begin with himselfe, providing against the abuses of the *Datary*, taking away the *coadjutorie*, *regresses*, *resignations* in favour, and that the Cardinals ought not only to consent unto it, but to publish it to all. The good intention of his Holinesse was generally commended. But some considered that those uses were brought in to take away greater abuses of manifest Simony, and unlawfull bargaines, and that they were to take care, that, removing those tolerable

tolerable inconveniences, which indeed are but againſt the law of man, a gate be not opened for the returne of thoſe which are againſt the Law of GOD. The Cardinall of *Trent* ſaid, that it would be a great prejudice to take away the *Coadjutories* in *Germany*, becauſe thoſe Biſhopricks being annexed to principalities, if *Coadjutories* could not be had for both together, they muſt be had for the principality alone, and ſo the temporall would be divided from the ſpirituall, which would be the utter overthrow of the Church. The Cardinall *Navaggiero* oppoſed the making of *Germany* different, ſaying that the Dutchmen being the firſt that demanded a reformation, they ought to be comprehended at the laſt. Afterwards the Pope related how many enterpriſes were uſed in Councell againſt the priviledges of the Romane Church, and ſpake of *Annats*, *Reſervations* and *preventions*. He ſaid they were neceſſary Subſidies, to maintaine the Pope, and Colledge of Cardinals, whereof as themſelves were partakers, ſo it was fit they ſhould labour to defend them, and that he would ſend a number of them to *Trent*, for his ſervice. 1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9 PHILIP 2.

In which place, the next day after the arrivall of the currier, who brought from *Rome* the Canons of the inſtitution, which was the fifteenth of January, a day appointed to reſolve on the certain time of celebrating the Seſſion, a Congregation was held, and a reſolution made to deferee the determination untill the fourteenth of February. And a copy was given of the decrees of the Inſtitution, with order that the congregations ſhould begin, in which they ſhould be diſcuſſed. And the care of reforming the decree of Reſidence was committed to *Loraine*, & *Madruccio*, together with thoſe Fathers whom they pleaſed to take unto them. In the congregations following, the formes which came from *Rome* were, with facility, approoved by the Patriarchs, and the moſt ancient Arch-biſhops, but many difficulties were alleadged againſt them by the Spaniards, and more by the French-men. This paſſage (*That Biſhops do hold the principall place depending of the Pope*) was queſtioned, becauſe the forme of ſpeech was ambiguous, which ought to have been plaine. After long diſcuſſion, they were content to admit that it ſhould be ſaid, Chiefe under the Pope, but not dependent. Some alſo oppugned theſe words, that Biſhops were aſſumed by the Pope into part of the charge, but would have it ſaid. That they were appointed by CHRIST, to take part of the cure: alleading the place of Saint *Cyprian*: *There is but one Biſhoprick, of which every one holdeth a part in ſolidum.* And for the point of the authority to feed, and to governe the Church univerſall, they ſaid that the Church was the firſt tribunall under CHRIST, to which every one ought to be ſubject, and that *Peter* was addreſſed to it, as unto a Judge, by the words of CHRIST *Goe, tell it to the Church, and he that will not heare the Church, let him be accounted an Heathen, and a Publican.* And they were content it ſhould be ſaid that the Pope hath authority to feed, and governe all the Churches, but not the Church univerſall: wherein there was ſmall difference in the *Latin* between *Univerſalem Eccleſiam*, and *Eccleſias Univerſas*. And *Granata* ſaid, I am Biſhop of *Granata*, and the Pope Arch-biſhop of the ſame City; inferring that the Pope hath the ſuperintendency of the particular Churches, as the Archbiſhop hath of the Churches of his ſuffragans. And it being alleadged, that this

The Canons ſent from *Rome*.

Do not abſolutely pleaſe the Fathers.

1563 this word, Church Univerſall, was uſed in the Councell of *Florence*, it was replyed, that the Councell of *Conſtance*, and *Martin* the fifth, in condemning the Articles of *John Wiglef*, doth condemne the Article againſt the ſupreamacy of the Apoſtolike *Sea*, only for ſaying, that it is not ſet over all particular Churches. And here a diſputation began betweene the French-men and the Italians, theſe ſaying that the Councell of *Florence* was generall, that of *Conſtance* partly approved, and partly not, and that other of *Baſil* ſchiſmaticall; and the others maintaining that thoſe of *Conſtance* and *Baſil* were generall Councels; and that this name could not agree to that of *Florence*, celebrated onely by ſome few Italians, and foure Grecians. Neither did they grant that the Pope had all the authority from CHRIST, no not with the reſtrictions and limitations, as he was a man, and in the time of his mortality; but they were content it ſhould be ſaid that he had authority equall to that of S. *Peter*. This maner of ſpeech was ſuſpected by the Papalins, who ſaw they would make the life and actions of St. *Peter* a paterne for the Pope, which would, as they ſaid, reduce the Apoſtolike *Sea* to nothing; which they defended to have an unlimited power, to be able to give a rule for all emergents, as the times doe require, though contrary to the actions of all his predeceſſors, and of Saint *Peter* himſelfe. And the contentions were like to proceed further. But the Legats, to give ſome intermiſſion, to have time to ſend the Pope the corrections of the *Ultramontans*, and receive his command how to governe themſelves in the buſineſſe, that they might ſet another matter on foot which might make this to be forgotten, returned to the point of Reſidence; concerning which *Loraine* and *Madruccio* had compoſed a forme, and preſented it ſome daies before to the Legats, who, without conſidering of it, did approove it, upon the firſt ſight. Afterward, having conſulted with the Canoniſts, they diſliked one part, in which it was ſaid, that Biſhops are bound by the commandement of God, to attend and watch over the flock, perſonally; and doubting that theſe words would not pleaſe in *Rome*, they changed them, and ſo propoſed the forme in Congregation. *Loraine* and *Madruccio* were much offended with this mutation, & thought they were diſparaged: and *Loraine* ſaid, that hereafter he would take no more care in thoſe things, nor treat with the Prelates, but only give his voice with modeſty, and ſerve the Legats out of his love, in any honeſt worke, as farre as he was able. And *Madruccio* did not forbeare to ſay, that there was a ſecret Councell within the Councell, which did arrogate more authority. The Legats perceiving that every thing turned againſt them, cauſed the Congregations to be omitted, Neither was this ſufficient. For the Prelates made private Congregations among themſelves, and the Legats continuall conſultations. The Arch-biſhop of *Otranto*, and others, who aimed at the Cardinality of which they thought themſelves aſſured if the Councel were ſeparated, agreed together to oppoſe every thing to make ſome tumult ariſe, and went paſſionately about, even in the night alſo, making practiſes, and cauſing men to ſet their hand to papers. Which, though in effect, it pleaſed the Legats, yet, for the manner, it diſpleaſed the moſt of them, as being of bad example, which might give ſcandall. And, on the contrary ſide, there wanted not thoſe who deſired a diſſolution. But each party expected an occaſion

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A difference betweene the Italians and the French-men about the Councels of *Conſtance*, *Baſil*, and *Florence*.

The Cardinals of *Loraine* and *Trent* are offended with the Legats.

A Councell within the Councell.

Practiſes to diſſolve the Councell.

occaſion that the cauſe of it might be attributed to the other: ſo that the ſuſpicions did encreaſe on both ſides. 1563

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The Cardinall of *Loraine* complained to all, that plots were laid to diſſolve the Synod, and eſpecially to the Ambaſſadours of Princes, deſiring them to write to their Maſters, to perſwade the Pope that the Councel might be continued, that the practiſes might be moderated, and the Fathers left to their liberty; ſaying, that otherwiſe a compoſition would be made in *France*, that every one might live as he would untill a free Councell, as this was not, in which nothing could be reſolved but as pleaſed the Legats, nor by the Legats, but as the Pope liſted; that he would be patient untill the next Seſſion, and then, if he ſaw not things goe better, he would make his proteſtations, and, together with the Ambaſſadours and Prelates, returne into *France*, to make a Nationall Councell, in which perhaps *Germany* would concurre with them; a thing which would be diſpleaſing unto himſelfe, in regard of the danger that the Apoſtolike *Sea* would not be acknowledged any more. In thoſe dayes many Curriers paſſed betweene *Rome* and *Trent*. For the Legats adviſed the frequent contradictions, and the Pope ſolicited the propoſing of the Canons which he ſent. And the French-men in *Rome* made the ſame complaint to the Pope, which *Loraine* had done in *Trent*, and uſed the ſame threat of a Nationall Councell, and the aſſiſtance of *Germany*. But the Pope, who had been uſed to theſe things, ſaid he was not daunted with words, was not afraide of Nationall Synods, did know that the French Biſhops were Catholikes, and that *Germany* would not ſubject it ſelfe to their Councels. He ſaid that the Councell was not onely free, but might be called licentious; that the practiſes of the Italians in *Trent* were not with his knowledge, but did ariſe becauſe the *Ultramontans* would tread the Popes authority under their feet; that he hath had three good occaſions to diſſolve the Councell, but was willing it ſhould continue, hoping that GOD would not abandon his Church, and that every attempt againſt it would come upon the head of the Innovators. *Five Churches* departed, and went to the Emperours Court, in the time of theſe confuſions, to give his Majeſty an account of the ſtate of the Councell, and of the combination of the Italian Prelates; and that it was diſcovered that *Granata*, and his adherents, had deſired him to perſwade the Emperour to write to the Catholike King concerning the Reformation and Reſidence, that both in thoſe, and in other occaſions they might ſpeake freely, according to their conſcience; which the Legats did beleeve to proceed from *Loraine*. And therefore, for a counterpoiſe, themſelves alſo, a few dayes after, ſent the Biſhop *Commendone* to the Emperour, upon pretence to excuſe, and render the cauſes why the demands of his Majeſty could not as yet be propoſed. And they gave him commiſſion to exhort the Emperour to be content not to demand of the Councell, but of the Pope himſelfe, thoſe points of his petition which concerne his authority; as alſo other inſtructions, ſuch as ſeemed them good.

Of which the Cardinall of *Loraine* complaineth. †

And of the want of liberty in Councell.

As did alſo the French-men in *Rome*.

The Pope anſwereth reſolutely.

But *Martinus Cramerus*, Biſhop of *Varmia*, Ambaſſadour of the King of *Polonia* to the Emperor, being come to *Trent*, upon pretence to viſit the Cardinall of *Varmia*, his ancient and inward friend, there was a great ſuſpicion that he was ſent by the Emperor, to be an eye-witnes of the proceedings in Councell,

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Councell, and to relate them to him. All theſe things made the Legats doubt that the Councell would be diſſolved, in ſome manner diſhonorable to the Pope, and themſelves, obſerving that it was deſired by many, even by ſome of the Papalins themſelves, and that diſorders were purpoſely procured by others, to juſtifie themſelves, in caſe it ſhould happen. They ſent unto all the Ambaſſadours a writing, which contained the preſent difficulties, and deſired their counſell. But the French Ambaſſadours anſwered, upon this occaſion, that which they deſired to ſay many dayes before, ; that as the Councell was aſſembled to remedy abuſes, ſo ſome were willing to make uſe of it to increaſe them ; that before any thing elſe were done, it was fit to withſtand ſuch manifeſt practiſes; that they were intollerable; that if they were removed, and every man had liberty to ſpeake freely what he thought a good accord would eaſily be made; that the Pope was Head of the Church, but not above it; that he was to governe and direct the other members, but not to domineere over the body; that to remedy the differences, it was neceſſary to follow the Councell of *Conſtance*, which having found the Church moſt diſorderly by meanes of theſe opinions, did reduce it into tolerable termes. They ſaid that one cauſe of diſcord was, becauſe the Secretary did not ſet downe their voices faithfully, ſo that the greater part ſeemed in the acts to be the leſſer, and that could not be taken for a reſolution which was concluded by the common opinion; and therefore that it was fit to joyne another with him. The Imperialiſts ſaid almoſt the ſame things, and were more earneſt for another Secretary. The other Ambaſſadours ſtood upon generall termes, deſiring a continuation of the Councell, and an union of mindes.

A free ſpeech uſed by the French Ambaſſadors.

Seconded by the Imperialiſts.

The B. of *Ventimiglia* returneth to *Trent*.

Things ſtanding thus, *Ventimiglia*, rediſpatched by the Pope, returned to *Trent* the nine and twentieth of January, who made a relation of his credence to the Legats, and by their advice, ſought to remoove two opinions ſpread in the Councell: one, that the Pope could not live long; the other, that he deſired a diſſolution of the Councell. He teſtified the deſire of his Holineſſe, that laying aſide all contentions, they would labour for the ſervice of God, and to end the Councell quickly. He ſpake of Buls, of offices, and Benefices, conferred upon ſome of the kinſmen of ſome Prelates, and a *Referendariſhip* to the Secretary of the *Portugal* Ambaſſadour, and a very great penſion to the ſonne of the Spaniſh Secretary, and divers promiſes to others, according to their pretenſions. But to the Cardinall of *Loraine* he made great complements, in the Popes name, ſhewed that he had confidence in him only, for a ſudden and a good end of the Councell.

The Legats uſe perſwaſions to the Cardinall of *Loraine*, by the B. of *Sinigaglia*.

The comming of the Biſhop of *Aſti*, the Ambaſſadour of the Duke of *Savoy*, gave a fit occaſion to reaſſume the Congregations: in which the Legats deſigning, after they had received him, to renew the propoſition of the Canons, they ſent the Biſhop of *Sinigaglia* to the Cardinal of *Loraine* to pray him to finde a meanes that the French-men might be ſatisfied. The Biſhop ſhewed him, that thoſe words (*to governe the Church Univerſall*) were uſed in many Councels; that the other (that they were aſſumed into part of the care) were uſed by S. *Bernard*, a writer much commended by his excellency. The Cardinall anſwered, that the whole world was a ſpectator of the actions of

Who anſwereth.

the

the Councell; that the opinions and voices of every one were knowne; that one ought to beware what he ſaith; that writings had been ſent out of *France*, againſt the opinions maintained in *Trent* in the queſtions that were handled; that many complained of him that he proceeded with too much reſpect, eſpecially in that matter, and in that other of reſidence that he hath not been ſo earneſt as he ought for the declaration that they are *de jure divino*; that by a word uſed by an Author one cannot preſently conclude what his meaning was, becauſe the antecedents and conſequents muſt be conſidered, which may inferre a contrary ſence; that the words doe not trouble him but the ſence, which they would canonize; that to ſay the Pope hath authority to governe the Church Univerſall, could not be admitted by the French-men by any meanes; that if it were propoſed againe, the Ambaſſadours would proteſt in the name of the King, and of the twenty French Prelates, from whom they ſhould alwayes have authority to doe it; that this would be a prejudice to the opinion which is generally held in *France*, that the Councell is above the Pope. *Sinigaglia* relating theſe things to the Legates, in preſence of many Italian Prelates, aſſembled to conſult upon this matter, made them feare that it was impoſſible to reduce the French-men. 1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9 PHILIP 2

The French opinion is that the Councell is above the Pope.

The comming of *Martin Guzdellun* of whom we ſpake before, which happened at the ſame time, gave great courage to the Spaniards; who, having ſeene the paſſages of one day, ſaid he underſtood plainly that the Councell was not free. He praiſed *Granata*, and ſaid the King had a very good opinion of him, and that if the Biſhopricke of *Toledo* were void, he would beſtow it upon him. Things being thus managed, Sunday, the laſt of January, came, when the generall Congregation was intimated, to receive the Ambaſſadour of *Savoy*, who made a ſhort ſpeech, to ſhew the dangers in which the ſtate of Princes was by the vicinity of the heretikes, and what charge he was put unto; he exhorted them to finiſh the Councell quickly, and to thinke of ſome means to make the contumacious receive the Decrees thereof, and offended all the others of his maſter. In the anſwere made, the piety and wiſedome of that Duke was commended, and joy given the Ambaſſadour of his comming. As the congregations continued, ſo the diſſentions increaſed, and many demanded that the Decree of reſidence, compoſed by the two Cardinals, ſhould be propoſed. But the Legats ſeeing ſuch variety of opinions, after long conſultation among themſelves, and with the Prelates their friends, reſolved it was not a time to make any deciſion, but neceſſary to interpoſe ſo great a delay, that the humors might cool of themſelves, or ſome meanes might be found to compoſe the differences, by prolonging the times of the Seſſion. And to make *Loraine* agree to it, they went all to his houſe, to impart their purpoſe unto him, and to demand his counſell and aſſiſtance. He complained of the conventicles, and that they ſought by unlawfull means, to give the Pope that which belongeth not unto him, and to take from Biſhops that which is given them by CHRIST: he ſaid he did not like the deferring of the Seſſion ſo long though he was content to yeeld unto them; but prayed them, that in regard this was done to moderate mens minds, they would indeavour effectualy to curbe thoſe who were unquiet and ambitious.

Martin Guzdellun complaineth that the Councell is not free.

The Ambaſſadour of *Savoy* is received in Congregation.

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In the Congregation of the third of February *Mantua* propoſed, that, in regard Lent was neere, and that the holy dayes and feaſts of Eaſter would follow quickly, they would deferre the Seſſion, untill after that time, and, in the meane while, in the Congregations, handle the reformation belonging to holy *Order*, and the matter of the Sacrament of marriage. But the propoſition had much contradiction. The French and Spaniards, almoſt all, were earneſt that a ſhort prorogation ſhould be determined, and the matter of *Order*, together with its reformation, defined, before they treated of *Matrimony*; to which opinion alſo ſome Italians did adhere. Others deſired that the Seſſion ſhould be held with the things decided already, and in particular, that the Decree of recidence, compoſed by the Cardinals, ſhould be eſtabliſhed: and ſome added that it was a great indignity to the Councell, to have the Seſſion ſo often deferred, ſhewing there was a deſire to violence the Fathers by wearineſſe, to conſent to thoſe opinions, which they did not beleeve in their conſcience; and therefore that it ought to be held, and matters to be reſolved by the major part. Some did not forbeare to ſay, that the diſtinction of Seſſion and generall Congregation was not reall, and that, in regard the perſons, and the ſame number were in both, that ought to be holde for decided in the one which was determined in the other. After great contention, the dilation untill the two and twentieth of Aprill was concluded by the major part, the others ſtill contradicting. The Cardinall of *Loraine*, howſoever he ſeemed to conſent only to content the Legats, yet he was willing, in regard of his owne intereſt; and that for foure cauſes. To know whether the Pope would recover his health. To have commodity to treat with the Emperour. To underſtand the Catholike Kings minde. And to ſee the ſucceſſe of the affaires of *France*, that he might reſolve what to doe, upon better ground.

No reall difference between a Seſſion and a generall congregation.

The next day the French Ambaſſadours made a great and long inſtance to the Legats, to handle the reformation, and to propoſe their petitions, before they beganne to treat of Matrimony. They anſwered, that the Synode was not to receive lawes from others; that if things convenient bee propoſed by Princes, conſideration is to bee had of them, at ſuch times as the Preſident ſhall thinke fit; that if, in their petitions, any thing bee found belonging to *Order*, they will propoſe it together, and afterwards the other things in their time. This anſwere not contenting the Ambaſſadours, they deſired, that if they would not make the propoſition, they would be content that themſelves might doe it, or elſe give them a plaine negative; adding, as it were in forme of a proteſtation, that if they continued to give theſe ambiguous anſweres, they would hold them to be equivalent to a ſcornefull negative. The Legates tooke three dayes time to give a more preciſe anſwere, and, in the meane while, deſired *Loraine* to pacifie them, and to make them contented to expect untill they had received an anſwere from *Rome* concerning the Articles which they had ſent thither.

The Articles to be diſputed.

The next day the Articles of *Matrimony* were given forth, to be diſcuſſed by the Divines, the week following; in which a diſpute preſently aroſe betweene the French and Spaniards, about precedence, which could not be compoſed

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A queſtion of precedence betweene the French and Spaniſh Prelates.

compoſed to the ſatisfaction of both parties, but by changing the order obſerved untill then, and by giving precedence according to promotion unto the doctorſhip. The Popes Divines, oppoſed ſaying, that the difficulty being betweene the *French* and *Spaniards*, the proviſion ſhould be made for them alone, and their place not altered, which was undoubtedly the firſt. The Legats, ſaying, they had reaſon, concluded that the firſt rank, in which the Papalins were, ſhould ſpeake as formerly they had done, and the other three according to the order of promotion: wherewith the French-men were not content, except one of them were put into the firſt ranke. The Spaniſh Secretary deſired that a publique inſtrument might be made of the Decree, that it might appeare, that if any French-man ſpeake before the *Spaniards*, it was not by reaſon of precedence of the Kingdome. In concluſion, to give ſatisfaction to all, an inſtrument was made, and a grant to the French men, that, after *Salmeron*, the firſt of the Popiſh Divines, the Deane of *Paris* ſhould ſpeake, and the others of the firſt ranke ſhould proceed according to promotion.

The Articles were eight, upon which they were to diſpute whether they were hereticall, and ought to be condemned. 1. That Matrimony is not a Sacrament inſtituted by God, but an humane introduction in the Church, and that it hath no promiſe of grace. 2. That the Parents may make voide ſecret marriages, and that thoſe which are ſo contracted are not true marriages, yea, that it is expedient that hereafter they ſhould be made voide in the Church. 3. That it is lawfull, in caſe the wife be divorced for cauſe of fornication, to marry another, in the life time of the former, and that it is an error to make a divorce for any cauſe but fornication. 4. That it is lawfull for Chriſtians to have many wives, and that the prohibition for marriage in certaine times of the yeere, is a tyranny, which proceeded from the ſuperſtition of the Gentiles. 5. That Matrimony ought to be preferred before chaſtity, and that God giveth more grace to thoſe that are married then to others. 6. That the Prieſts of the Weſt may lawfully contract Matrimony, notwithſtanding the vow of Eccleſiaſticall law, and that to ſay the contrary is to condemne Matrimony, and that all thoſe who have not the gift of chaſtity, may marry. 7. That the degrees of ſanguinity, and affinity, mentioned in the eighteenth of *Leviticus*, ought to be kept, and neither more nor leſſe. 8 That inability to carnall copulation, and ignorance in the contract of mariage are only cauſes to diſſolve Matrimony contracted, and that the cauſes of Matrimony doe belong to Secular Princes. Of which Articles that they might briefly ſpeake, they were divided into foure parts, according to the foure rankes of Divines, and two appointed for each.

The Biſhop of *Renes*, Ambaſſadours of *France* to the Emperour, arrived in *Trent*, who, having treated with *Loraine*, that Cardinall went to the Legats, and told them, that, ever ſince his departure out of *France*, he hath had commiſſion from the King to goe to the Emperour, which he would doe within a few dayes, becauſe he would be in *Iſpruc*, and becauſe *Renes* was come to fetch him. He gave an account alſo of the journey to the Pope by letters, in which he touched the manner of the proceeding of the *Italians*

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ſians in Councell; adding, that if they ſo continued, he would pray God that he might doe ſomething for his holy ſervice. They had talked of this journey a moneth before, and therefore when it was publiſhed, the ſuſpicions were not ſo great as if it had not been foreſeene. All men aſſured themſelves, that it was to make a combination concerning the Councell, and, particularly to bring in the uſe of the Cup; and the rather, becauſe the Cardinall had ſaid to many Prelates, upon divers occaſions, that the Emperour, King of the Romanes, and of *France*, would never leave to make petitions for Reformation, untill they had obtained the uſe of the Chalice, though they were to remaine two yeeres in Councell; but that favour being granted, they would eaſily be quieted, and that to give ſatisfaction to thoſe Princes, was the beſt meanes to retaine thoſe Kingdomes in obedience; that it was impoſſible to obtaine it of the Pope, in regard of the oppoſition of the Cardinals, who abhorred the grant; that it was not hitherto obtained in Councell, becauſe the buſineſſe was not well managed, and that there was hope, that uſing good meanes, it might be gained. But thoſe who did more attentively marke the Cardinals proceedings, obſerved a great variety in his ſpeeches. For ſometimes he ſaid, that, in caſe matters were not reſolved, he ſhould be forced to depart at *Eaſter* or at *Whitſuntide*; ſometimes, that he would remaine in *Trent* two yeeres; ſometimes propoſing meanes to diſpatch the Councell, and ſometimes taking courſes to make it everlaſting; manifeſt arguments, that as yet he knew not his owne intention. And they ſuſpected his cautelous proceeding, which did argue a deſire to juſtifie his reaſons by Art, and make his cauſe honeſt. And conſidering that in *Iſpruc* would be the King of the Romanes, the Duke of *Bavaria*, the Arch-biſhop of *Salzburg*, and the Arch-duke *Ferdinand*, it was thought that this conferrence muſt needs produce ſome novities; eſpecially in regard of the ſmall ſatisfaction which the Councell had hitherto given the Emperour, and of the union in all matters betweene *France* and him. And it might bee thought alſo that the King of *Spaine*, ſo neere unto him in blood, would adhere to that party; and the rather, becauſe it was divulged, that, by his letters of the eight of June, hee had given commiſſion to the Count of *Luna* to hold intelligence with the Emperour, and the King of *France*, in matters of reformation and liberty of the Councell. In theſe daies Friar *Felicianus Ninguarda*, Proctor of the Arch-biſhop of *Salzburg*, preſented the letters of that Prince, and made inſtance, that the Proctors of the Biſhops of *Germany* might give voice in Congregations; affirming, that, if it were granted, other Biſhops of *Germany* would ſend Proctors, if otherwiſe, both himſelfe and others would depart, becauſe they would not be idle. It was anſwered, that conſideration ſhould be had of it, and a reſolution taken according to right. And they gave an account hereof to *Rome*, and would not reſolve ſo much as this ſmall particular without advice from thence. But in regard of greater buſineſſes in both places, there was no more ſpeech of it.

Diſcourſes about the Cardinall of *Lorain* his going to *Iſpruc*.

The ninth of February the firſt Congregation of Divines was held, to diſpute of Matrimony. *Salmeron* ſpake in a very lofty ſtile; and concerning the firſt Article, delivering the uſuall ſayings of the Schoolemen. For the ſecond, he alleadged the determination of the Councell of *Florence*, that

Matrimony

Matrimony receiveth perfection only by the consent of the contracters, neither hath the Father, or any other, any authority over it. He defended, that they ought to be condemned for heretiques, who attribute power to the father to make it void; that the authority of the Church was very great concerning the matter of Sacraments; that it can alter whatsoever is not of the essence; that the condition of publique and secret being accidentall, the Church had power therein. He shewed the great inconveniences of secret marriages, and innumerable adulteries which follow, and concluded that it was expedient to use a remedy, by making them void. He insisted much upon this inextricable case; if, after matrimony contracted and consummated in secret, one doth contract in publique with another, from which being desirous to depart, and returne to the first lawfull wife, is forced by censures to remaine in the publique contract; the poore man is intangled on both sides, either in perpetuall adultery, or in censures, with scandall of his neighbour. 1563 PIUS 4. FERDINAND ELIZABETH. CHARLES. 9 PHILIP 2.

The next day the Deane of *Paris* followed; who spake copiously, out of schoole doctrine, of the institution of marriage, of the grace of which is received in it, and of condemning him that doth affirme it to be an humane invention. But upon the article of clandestine matrimony having disputed, that they were true marriages and Sacraments, he put a doubt whether the Church hath power to make them void. He contradicted the opinion, that there is authority in the Church over the matter of Sacraments; he discoursed that the Church cannot make any Sacrament which is not lawfull, to be of no force for hereafter; he exemplified in the consecration of the Eucharist, and went through all the Sacraments. He said the Ecclesiasticall power was not such, as to be able to hinder all sinnes; that the Christian Church hath beene 1500 yeeres subject to that which is now described to be intolerable, and, (which is of no lesse importance) secret mariages have beene accounted good even from the beginning of the world, and no man hath ever thought to make a nullity in them, howsoever a publike contract hath often followed them; that it seemeth to be insoluble, though it hath inconveniences on both sides; that the mariage of *Adam* and *Eve*, a patterne for all other, was without witnesses. The opinon of the Doctor was not disesteemed; but the *Italian* Prelates were well pleased, that having once named the Pope, he gave him this Epithite, with the exposition following, *Governour and moderator of the Romane Church*, that is, *of the Universall*. And this did minister much discourse. For the Papalins concluded, that it might likewise be said in the Canon of the institution, that the Pope hath power to governe the Universall Church. But the French-men answered, that there was great difference betweene saying absolutely the Church Universall, by which is understood the Universality of the faithfull, and saying the Roman Church, that is the Universall, where the word Roman doth declare the word Universall, inferring that he is Head of the Universall, and that all places, in which authority is given to the Pope over all the Church, are understood disjunctively, not conjunctively, that is, over every part of the Church, not over all together.

The eleventh of February, the French-men presented, in Congregation, a

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letter from their King, of the eighteenth of January; in which he ſaid, that howſoever he was aſſured that the Cardinall of *Loraine* had imparted to the Synode, the happy victory againſt the enemies of religon, whoſe boldneſſe he hath and doth daily oppoſe without reſpect of difficulty, or danger, even expoſing his owne life, as becommeth the eldeſt and moſt Chriſtian ſonne of the Church, yet himſelfe was willing to make them partakers of the ſame joy alſo, knowing that the wholeſome remedies, for the evils which doe afflict Chriſtian Provinces, have alwaies beene expected from Councels. He deſired of them, in the Name of CHRIST, an emendation and reformation, anſwerable to the expectation the world hath conceived of them; and that as himſelfe, and ſo many beſides, have conſecrated life and blood to God in thoſe warres, ſo they, in reſpect of their charge, would, with ſincerity of conſcience, be carefull of the buſineſſe for which they are aſſembled. The letter being read, the Ambaſſador *de Ferrieres* ſpake to the Fathers in this ſubſtance. That they having underſtood by the Kings letters, and before by the Orations of the Cardinall of *Loraine*, and Biſhop of *Mentz* the deſolation of *France*, and ſome victories of the King, he would not relate them againe, but onely ſay, that the laſt, in regard of the forces of the enemy, was miraculous; whereof this is an argument, that being overcome, yet he doth live, and committeth ſpoiles, running through the very bowels of *France*. But he ſaid, he would turne his ſpeech to them onely, who are the only refuge of his miſeries, without whom *France* will not be able to preſerve the tables of ſhipwracke. He exemplified in the army of *Iſrael*, which had not beene able to overcome *Amalec*, if the hands of *Moyſes*, lifted up to God, underpropped by *Aaron* and *Ur*, had not aſſiſted the combattants; that the King of *France* doth not want forces, a valiant Captaine the Duke of *Guiſe*, the Queene Mother, to mannage the affaires of warre and peace; that there is no other *Aaron* and *Ur* but themſelves, to hold up the hands of the moſt Chriſtian King, with Decrees of the Synode, without which the enemies will never be reconciled, nor the Catholiques preſerved in the faith; that the humour of Chriſtians now, is not the ſame as it was fifty yeeres ſince; that all Catholiques are now like to the *Samaitanes*, who did not beleeve the womans relation of CHRIST, untill they had inquired, and informed themſelves; that a great part of Chriſtendome doth ſtudy the Scriptures, and that the moſt Chriſtian King, had given no inſtructions to his Ambaſſadors, but conformable to them, which they have preſented, to the Legates, who preſently will propoſe them, as they have promiſed, to them the Fathers, to whom the moſt Chriſtian King doth principally ſend them, expecting their judgement upon them; that *France* doth not demand any ſingular thing, but common to all the Catholique Church; that if any marvell that the moſt neceſſary things are omitted in the propoſitions, he may aſſure himſelfe that they beginne with the ſmaller matters, that they may propoſe the others of more weight, in their fit time, as alſo to give an eaſie execution to thoſe; which if they the Fathers will not beginne before they depart from *Trent*, the Catholiques will cry out, the adverſaries will laugh, and will both ſay, that the Fathers of *Trent* doe not want knowledge, but a will to doe good, and that they have conſtituted good lawes, without touching

Letters from the French Kare preſented in Congregation.

And *de Ferrieres* makes a ſpeech

touching them ſo much as with one of their fingers, but leaving the obſervation of them to their poſterity. And if, in the demands exhibited, any doe thinke that ſome thing is contained conformable to the bookes of the adverſaries, he holdeth them unworthy of anſwere: to thoſe who hold them immoderate, he will ſay nothing but that of *Cicero*, that it is an abſurdity to deſire temperance of mediocrity in the beſt things, which are ſo much the better, by how much the bigger they are. He ſaid the holy Ghoſt did ſay to lukewarme moderators, that he would caſt them out of the body; that they ſhould conſider the ſmall good the Church had, by the moderate reformation of the Councel of *Conſtance*, and of the next, which he would not nominate, for feare of offending the eares of ſome, and likewiſe of the Councels of *Ferrara*, *Florence*, the *Laterane*, and the firſt of *Trent*, and how many ſorts of men, how many Provinces, Kingdomes, and Nations, have ſince departed from the Church. He turned his ſpeech to the Italian and Spaniſh Fathers, that a ſerious emendation of Eccleſiaſticall diſcipline was more for the good of them, then of the Biſhop of *Rome*, the chiefe Vicar of CHRIST, and ſucceſſour of *Peter*, who hath the higheſt authority in the Church of God, that their life and honour was in queſtion, and therefore that he would ſay no more.

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In the anſwere to the letters and the Ambaſſadours Oration, the King was commended for his pious and noble acts, and exhorted, as if he had been preſent, to imitate his predeceſſors, turning all the cogitations to the defence of the Apoſtolique *Sea*, and preſervation of the ancient faith and to give eare to thoſe who preach unto him the Kingdome of God, and not to thoſe who preach a preſent utility, and an imaginary tranquility, which will never be a true peace; adding, that the King would ſurely doe ſo by the helpe of God, and in regard of the goodneſſe of his diſpoſition, of the Counſell of the Queene Mother, and of the Nobility of *France*; that the Synod will labour to define things neceſſary for the reformation of the Church univerſall, and for the good and intereſts of the particular of the Kingdome of *France*. In the end of the Congregation, the Cardinall of *Mantua* propoſed, that, to make a more quicke diſpatch, the Congregations of the Divines might be held twice a day, and Prelates deputed to propoſe the correction of the abuſes, in the matter of *Order*; and ſo it was decreed.

The anſwere.

The biting ſpeech of the Ambaſſador did pierce the mindes of the Papalins; and particularly, when he ſaid, that the Articles were addreſſed principally to the Synod: Which words they thought were contrary to the Decree, that the Legates onely ſhould propoſe, a principall ſecret to preſerve the Popes authority. But they were mooved more, that he ſaid that he had deferred the propoſition of more important matters, untill another time; whence they drew great conſequences, eſpecially having alwaies feared, that they had not as yet diſcovered their deſſignes, and that they did plot greater matters. As alſo to ſpeake with the Italian and Spaniſh Fathers, as if they had other intereſts then the Pope, ſeemed a ſeditious manner of treating. The Ambaſſadour gave a copy of his Oration; and by thoſe words which he ſpake of the Pope, *That he hath ſupreame authority in the Church of God*, ſome Popiſh Prelates noted, that, in reciting them, he had ſayd;

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who hath full power in the Church univerſall; drawing them to the favour of their opinion, and diſputing that it was as much to have full power in the Church-univerſall, as to governe the Church-univerſall, which the French-men did ſo much abhorre, in the Decree of the inſtitution. But himſelfe and the other French men affirmed, that he had pronounced them as they were written.

The Cardinall of *Loraine* goeth to *Iſpruc*.

The next day *Loraine* went to *Iſpruc*, to viſit the Emperour and King of the Romanes, accompanied with nine Prelates, and foure Divines of the moſt learned amongſt them. He had firſt a promiſe from the Legat, that, while he was abſent, the Article of the marriage of Prieſts ſhould not be handled, which he did inſtantly deſire, that nothing might be determined, or preconceived contrary to the commiſſion which he had from the King, to obtaine of the Councell a diſpenſation for the Cardinall of *Bourbon* to marry. Cardinall *Altemps* alſo went to *Rome*, recalled by the Pope, to be Generall of the ſouldiers, which he purpoſed to raiſe for his owne ſecurity. For underſtanding that levies were made in *Germany*, by the Dukes of *Saxony* and *Wittenberg*: and by the *Landgrave* of *Haſſia*, howſoever it was generally beleeved, that all was done to aſſiſt the *Hugonots* of *France*, yet conſidering that the Count of *Luna* had written, that the Dutch-men had a great deſire to invade *Rome*, and did remember the Sacke ſixe and thirty yeeres ſince, he thought it was wiſedome not to be unprovided, and, for the ſame cauſe, revived the treaty of making a combination with all the Italian Princes, for the defence of Religion.

A diſpenſation to marry for the Cardinall of *Bourbon*. Card: *Altemps* is to be Generall of the Popes Army.

In the congregations, the Divines of the firſt ranke did uniformly agree in condemning the firſt article, & every part thereof, as hereticall; as alſo the ſecond, ſaying that ſecret mariages were true mariages. But there was the difference before mentioned between *Salmeron* and the Deane of *Paris*, whether the Church hath power to make them void. Thoſe who held the negative, ſtood upon that ground, that the matter, forme, miniſter, and receiver are eſſentiall in every Sacrament, in which, as being inſtituted by God, no Eccleſiaſticall power hath any thing to do. They ſaid that the Councel of *Florence* having declared, that the conſent of the parties only is neceſſary to Matrimony, he that would inferre the word, publike, for a neceſſary condition, doth inferre, that the conſent only is not ſufficient, and that the Councell of *Florence* hath failed in a neceſſary declaration. That Christ ſaid in generall of Matrimony, that man cannot ſeparate that which God hath joyned, meaning both the publike and the ſecret conjunction. That in the Sacraments nothing ought to be affirmed without authority of the Scriptures, or tradition, neither of which doe allow this authority to the Church; yea, by tradition we find the contrary, becauſe all Churches in all nations throughout the world are uniforme; in not pretending any power herein. On the contrary, it was ſaid to be a cleere caſe, that the Church hath power to make any man uncapable of marriage, becauſe many degrees of conſanguinity and affinity are made hinderances by the Eccleſiaſticall law only; and likewiſe the impediment of a ſolemne vow was made by the Popes law; and therefore ſecrecy may be likewiſe made an impediment, by the ſame authority. The other part anſwered, that the prohibition by reaſon of kindred, is

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de jure divino, as Saint *Gregory* the Pope, and many of his ſucceſſors have determined; that matrimony cannot be contracted betweene two, untill it be knowne in what degree of kindred they are joyned, and if other Popes have reſtrained this univerſality to the ſeventh degree, and afterwards to the fourth, this was a generall diſpenſation, as Divorce was to the Jewes, and that a ſolemne vow doth hinder *de jure divino*, not by the Popes authority. 1563 PIUS 4. FERDINAND ELIZABETH. CHARLES. 9 PHILIP 2.

But *Camillus Campeggius*, a Dominican Friar, agreeing with the others, that no humane power is extended to the Sacraments, added, that whoſoever can deſtroy the eſſence of the matter, can alſo make it uncapable of the Sacrament; that no man can make water not to be the matter of *Baptiſme*, or ſome bread of wheat not to be the matter of the *Euchariſt*; but he that ſhall deſtroy the water, turning it into ayre, or ſhall burne the bread, turning into aſhes, ſhall make thoſe matters not to be capable of the forme of the Sacraments: So in Matrimony, the civill nuptiall contract is the matter of the matrimoniall Sacrament, by divine inſtitution; which being deſtroyed, and made of no force, can no more be the matter of it. Therefore it cannot be ſaid that the Church can make a nullity in the ſecret marriage, for ſo it would have authority over the Sacraments, but it is true that the Church can nullifie a ſecret nuptiall contract, which, as being void, cannot receive the forme of a Sacrament. This doctrine did much pleaſe the generality of the Fathers, becauſe it was plaine, eaſie, and reſolved all the difficulties. But *Antonius Soliſius*, who ſpake after him, did contradict, ſaying, the ſpeculation was true, but could not be applied to this purpoſe. For the reaſon, as it is meant of Baptiſme and the Euchariſt, that whoſoever doth deſtroy the water and the Bread, doth make them uncapable of the formes of thoſe Sacraments, doth not argue an Eccleſiaſticall power, but a naturall, ſo that whoſoever hath vertue to deſtroy the water, may, by this means, hinder the Sacrament; whereby it would follow, that he that can nullifie a civill nuptiall contract, may hinder Matrimony, but the annullation of ſuch contracts belongeth to the civill Lawes, and to ſecular Magiſtrates; therefore they muſt take heede, leſt while they would give authority to the Church to make void ſecret marriages, it be not rather given to the ſecular power.

Amongſt thoſe who attributed this power to the Church, it was diſputed whether it were fit that the Church ſhould uſe it. And there were two opinions. One, to make void all the ſecret, in regard of the inconveniences which enſue. The other, that the publique, made without conſent of parents, in whoſe power they are, ſhould be made void alſo. And theſe alleadged two reaſons; one, that as great inconveniences did follow by theſe, in reſpect of the ruines which happen to families, by mariages unadviſedly contracted by yong men, the other that the Law of GOD, commanding obedience to parents, doth include this cauſe as principall. That the Law of God doth give this particular authority to the Father, to give his daughter in marriage, as it plainely appeareth in Saint *Paul* and *Exodus*. That there are examples of the Patriarches in the olde Teſtament, all married by their fathers. That the humane civill Lawes have eſteemed the marriages void, which have beene contracted without the father. That as then it was judged

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ged expedient to nullifie ſecret marriages, ſo now, ſeeing that the Popes prohibition is not ſufficient, which hath forbidden them without addition of nullity, there is more reaſon, in regard the malice of man will not obey the Law of GOD, which forbiddeth to marry without conſent of parents, that the Synode ſhould adde unto it a nullity alſo; not becauſe the Fathers have authority to make voide the marriages of children, which is hereſie to affirme, but becauſe the Church hath authority to nullifie both theſe and other contracts, prohibited by divine or humane Laws. This opinon, as honeſt, pious, and as well grounded as the other, pleaſed many of the Fathers. And ſo was the Decree framed, howſoever the publication was omitted, for cauſes which ſhall be related hereafter.

But the Prelates did not forbeare to diſcuſſe the controverſies about the Popes authority, and inſtitution of Biſhops. And the Frenchmen did perſevere in their reſolution, not to admit the words, *Church Univerſall*, leſt they ſhould prejudice the opinion held in *France*, of the ſuperiority of the Councell; and if it had been propoſed, would have made proteſtation of the nullity, and departed. The Pope wrote it ſhould be propoſed, whatſoever did follow. But the Legats fearing that every little ſtirre would be much out of ſeaſon now the Emperour was ſo neere, wrote backe, that it was better to deferre it untill the Article of Matrimony was finiſhed.

The Legates dare not propoſe the Article of the inſtitution of Biſhops.

The ſeventeenth of February Father *Soto* was the firſt that ſpake in the ſecond ranke; who, upon the Article of Divorce, did firſt diſtinguiſh the matrimoniall conjunction into three parts: the bond, the cohabitation, and the carnall copulation; inferring that there were as many ſeparations alſo. He ſhewed at large that the Eccleſiaſticall Prelate had authority to ſeparate the married, or to give them a divorce, in reſpect of cohabitation, and carnall copulation, for all cauſes which they ſhall judge expedient and reaſonable, the matrimoniall bond ſtill ſtanding ſure, ſo that neither can marry againe; ſaying, that this was it which was bound by GOD, and could not be looſed by any. He was much troubled with the words of Saint *Paul*, who granteth to the faithfull husband, if the unbeleeving wife will not dwell with him, to remaine ſeparated. He was not contented with the common expoſition, that the Matrimony of the unbeleevers is not inſoluble, alleadging, that the inſolubility is by the law of Nature, as alſo the words of *Adam*, expounded by our SAVIOUR, and the uſe of the Church, that married unbeleevers, after they have beene Baptized, are not married againe; and that their matrimony is not different from that of the faithfull. And he reſolved to approve the expoſition of *Cajetan*, that the ſeparation, mentioned by Saint *Paul*, of the faithfull from the unbeleever, is not underſtood of the matrimoniall bond, and that it was a thing worthy to be conſidered by the holy Synod. For fornication he ſaid, that it ought not to be a cauſe of ſeparation from the bond, but from copulation, and cohabitation only. But he found himſelfe much intangled, becauſe he ſaid firſt that that divorce might be granted in many reſpects, and for many cauſes, whereas the Goſpel doth admit but one, which is Fornication, which muſt needs be underſtood in reſpect of the bond, becauſe Divorce in the other two reſpects may have many cauſes. He gave many expoſitions of that place of the Goſpel, without approouing or diſ-

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prooving any of them; and concluding that the Article ought to be condemned, becauſe the contrary is made an Article of Faith, by Apoſtolicall tradition, howbeit the words of the Goſpel are not ſo plaine as that they are ſufficient to convince the *Lutherans*. 1563 Pius 4. Ferdinand Elizabeth. Charles. 9 Philip 2.

Concerning the fourth Article of *Polygamie*, he ſaid it was againſt the law of Nature, nor could be permitted ſo much as to infidels, who are ſubject to Chriſtians. He ſaid the ancient Fathers had many wives by diſpenſation, and the others, who were not diſpenſed with by God, did live in perpetuall ſinne. For the prohibition of marriages at certaine times, he briefly alleadged the authority of the Church, and the diſconvenience of marriage with ſome times: and tooke this occaſion to ſay, that no man had reaſon to be grieved, becauſe the Biſhop might diſpence. He returned to the cauſes of Divorce, and concluded that the world would not complaine of any of theſe things, if the Prelates did uſe their authority with wiſedome and charity. But the cauſe of all the evils is, becauſe they doe not reſide, but give the governement to a Vicar, and oftentimes, without convenient maintenance, ſo that Juſtice is ill adminiſtred, and *graces* not well beſtowed. And here he ſpake at large of Reſidence, ſaying, that if it were not declared to be *de jure divino*, it was impoſſible to remove theſe and other abuſes, and to ſtoppe the mouthes of heretiques, who not obſerving that the evill commeth from the bad execution, lay the blame upon the Popes conſtitutions; and therefore the Popes authority will never be defended well, but by Reſidence well eſtablicted; nor that well executed without the declaration, *de jure divino*; and that they did notoriouſly erre, who thought it prejudiciall to the authority of the Pope, whereas it is the only foundation to uphold and preſerve it. He concluded, that the Councell was bound to determine the truth, and ſpake with ſuch efficacy, that he was willingly heard by the *Ultramontans*, but did diſpleaſe the Papalins, who thought the time impertinent to touch that matter. And it gave occaſion to both parties to renew their practiſes.

In the Congregation of the twentieth of February, *John Ramirez*, a Franciſcan Friar, after he had ſpoken upon the ſame Articles, according to the common opinion of Divines, of the inſolubility of marriage, ſaid, that the ſame reaſons which are betweene man and wife, are alſo betweene the Biſhop and the Church, and that as the man ought not to depart from his wife, ſo ought not the Biſhop to depart from his Church, and that this Spirituall bond was of no leſſe force then the other which was corporall. He alleadged *Innocence* the third, who decreed that a Biſhop could not be tranſferred but by the divine authority, becauſe the matrimoniall bond, which is leſſe (ſaid the Pope) cannot be diſſolved by any power of man. And he was copious in ſhewing that the Popes authority was rather increaſed than diminiſhed hereby, who, as a generall Vicar, might make uſe of Biſhops in another place, where there was more need: as the Prince may employ maried men for publique occaſions, ſending them to other places, without diſſolving the matrimoniall bond. And he laboured to reſolve the contrary reaſons with much prolixity.

In the Congregation of that afternoone, Doctor *Corniſius* ſaid, that both theſe Articles the third and fourth, were hereticall, becauſe they were condemned

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demned by many *Decretals* of Popes, and exalted the authority of the Apoſtolike *Sea* in many words, ſaying, that all ancient Councels, in the determinations of faith, did perpetually follow the authority and will of the Pope. He exemplified in the Councell of *Conſtantinople* in *Trullus*, which followed the inſtruction ſent by Pope *Agathone*; the Councell of *Chalcedon*, which did not only follow, but worſhip the ſentence of St. *Leo* the Pope, calling him alſo Ecumenicall, and Paſtor of the Univerſall Church. And after he had alleadged many authorities and reaſons, to ſhew that the words of CHRIST, ſpoken to Saint *Peter* (*Feed my ſheepe*) doe ſignifie as much as if he had ſaid, rule and governe the Church Univerſall: he amplified very much the Popes authority in diſpenſations, and other things alſo. He brought the authority of the Canoniſts: that the Popes may diſpence againſt the Canons, againſt the Apoſtles, and in all the law of GOD, except the Articles of faith. In the end, hee alleadged the Chapter *Si Papa*, that every one ought to acknowledge that his ſalvation doth depend, after GOD, upon the holineſſe of the Pope; amplifying theſe words, becauſe they proceed from a Saint, and a Martyr, of whom no man can ſay he did reſpect any thing but the truth.

The relation of *Commendone* returned from the Emperour.

At this time *Commendone* returned from the Emperour, whoſe negotiation had not that ſucceſſe as the Legats deſired. For the Emperor, hearing his propoſitions, anſwered, that he muſt have time to thinke on them becauſe of their importance, and that he would conſider of them, and anſwer the Councell by his Ambaſſadour. He preſently gave an account hereof by letters, adding, that he found the Emperour was grieved, and had an ill conceit of the actions of the Councell. Being now returned, he ſaid further, that, by the words of his Majeſty, and by that wich he had underſtood by his Counſellers, and obſerved by their proceedings, he thought hee knew that he was ſo firme in that bad opinion, that hee feared ſome diſorder would enſue. That, as farre as he could comprehend, the cogitations of his Majeſty were wholly bent to obtaine a great reformation, with ſuch proviſions as that it might be obſerved; and that he could certainely affirme, that he would not be content that the Councell ſhould be finiſhed. That he had underſtood, that *Delphinus*, the *Nuncio* reſident, having named ſuſpenſion or tranſlation, the Emperour was offended. Then he related that there was an opinion in that Court that the Catholique King held intelligence with the Emperor concerning the affaires of the Councel, which he did beleeve, becauſe he was aſſured that the Spaniſh Prelates had ſent letters to him, in which were complaints againſt the proceeding of the Italians, and many Articles of Reformation, which 'tis like they would not dare to doe, except they knew their Kings minde. He ſaid alſo, that the Count of *Luna*, when the Popes miniſters had ſpoken of the too much licence of the Spaniſh Prelates in their ſpeeches, anſwered thus; what could be done if theſe Prelates ſhould ſay that they ſpake as they thought in their conſcience? He ſaid moreover, that in the conference he will have with the Cardinall of *Loraine*, he was of opinion that they would conclude to make their petitions to be propoſed by the Ambaſſadours; and that his Majeſty had cauſed his Divines to conſult upon them, and upon other conciliary

ciliarie affaires; and that howſoever himſelfe and the *Nuncio Delphinus* had vſed much diligence, yet they were not able to learne the particulars. 1563 PIUS 4. FERDINAND ELIZABETH. CHARLES. 9 PHILIP 2

But within a ſhort time they came to light. For the Ieſuite (*Caniſius* wrote to the Generall *Laynez*, that the Emperour was ill affected towards the Councell, and made many points to be conſulted on, that he might reſolve how to proceed, in caſe the Pope did preſevere in refuſing to propoſe the reformation or in giving words, contrary to his deeds. One point was, what the Emperors authority might be in Councell; and that *Fredericus Staphilus*, Confeſſor to the Queen of *Bohemia*, was the chiefe man in the conſultation. *Caniſius* deſired that one of the Society might be ſent unto him, whom he might bring into the conſultation, and by him diſcover all. Whereupon *Laynez* having conferred with Cardinall *Simoneta*, they reſolved to ſend Father *Natalis*, by whom all was diſcovered. And the Articles conſulted on were ſeventeene. 1. Whether a generall Councell, lawfully aſſembled by the favour of Princes, may change the order determined by the Pope to be obſerved in handling the matters, and bring in a new manner. 2. Whether it be profitable for the Church that the Councell ſhould handle matters, and determine them as it is directed by the Pope or Court of *Rome*, ſo that it may not doe otherwiſe. 3. Whether, if the Pope die in time of the Councell, the Fathers thereof ought to chooſe another. 4. What the Emperors power is, the *Sea* of *Rome* being void, and the Councell open. 5. Whether, when matters are handled concerning the peace and tranquillity of the Chriſtian common-wealth, the Ambaſſadours of Princes ought to have a deciding voice, howſoever they have it not concerning matters of faith. 6. Whether Princes may recall their Orators and Prelates from the Councell, without imparting it to the Legats. 7. Whether the Pope may diſſolve or ſuſpend the Councell without the participation of Princes, and eſpecially of the Emperour. 8. Whether it be fit that Princes ſhould interpoſe, to cauſe more neceſſary annd expedient matters to be handled in Councell. 9. Whether the Orators of Princes may expound to the Fathers in perſon, thoſe things which the Princes commit unto them, to be expounded. 10. Whether a meanes may be found, that the Fathers, ſent by the Pope and Princes, may be free in giving their voyces in Councell. 11. What courſe may be taken, that the Pope and Court of *Rome* may not interpoſe in ordaining that which is to be handled in Councell, that the liberty of the Fathers may not be hindered. 12. Whether a meanes may be found that no fraude, violence, or extortion be uſed in delivering the opinions of the Fathers. 13. Whether any thing may bee handled, be it point of doctrine, or reformation of the Church, before it be diſcuſſed by the learned. 14. What remedy may bee found, if the Italian Prelates doe continue their obſtinacy in not ſuffering matters to be reſolved. 15. What remedy may be uſed to hinder the combining of the Italian Prelates, when the Popes authority is in queſtion. 16. How the practiſes may be removed which hinder the determination of the point of reſidence. 17. Whether it be ſeemely that the Emperour ſhould perſonally aſſiſt in Councell.

Points conſulted on in the Emperours Court.

In number 17.

But a long and ſerious conſultation was held in *Rome*, whether the petitions

A conſultation in *Rome*.

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titions of the French-men ought to be propoſed? and they conſidered not ſo much the weight of the things themſelves, as the conſequences thereof. For obſerving what *de Ferrieres* had ſaid in his Oration, that the petitions exhibited were of the lighter ſort, and that others remained of more weight, they conjectured that the French-men, having not made thoſe demands becauſe they deſired to obtaine them, they aimed to make entrance by that way, to propoſe others which they had in their minde, and that, by theſe which they call light, the gate being opened, paſſage might not be denied them what attempt ſoever they would make beſides. For theſe and other reſpects it was reſolved to write to the Legats, that, abſolutely, they ſhould not be propoſed, nor a negative given, but only a delay interpoſed; and the meanes they were to uſe, were written alſo. At the ſame time, a writing of an uncertaine Author came from *Rome*, in anſwer of thoſe petitions, which immediatly was ſpread in *Trent*, and in the Emperours Court. And it was beleeved in *Rome*, that, by theſe meanes, they had given a good counterpoiſe to the inſtances of the French-men. But the Pope was more troubled with the novity at the Emperours Court to conſult of matters ſo prejudiciall to him, knowing well that the Papall dignity is preſerved by the reverence, and certaine perſwaſion of Chriſtians that it cannot be called into queſtion, that when the world doth begin to examine matters, apparant reaſons will not be wanting to diſturbe the beſt things. He obſerved that his predeceſſors had uſed potent remedies in like occaſions, and that when the foundation of faith is queſtioned, that precept, to reſiſt the beginnings, taketh place. For as, in the breaches of rivers, if the ſmalleſt ruptures be not ſtopped, the chanell cannot be kept full, ſo when there is but a ſmall overture againſt the ſupreame authority, and not ſtopped, it is eaſily carryed to an abſolute downefall. He was counſelled to write a *Briefe* to the Emperour, concerning this his diſtaſte, as *Paul* the third did to the Emperour *Charles*, about the *Colloquies* of *Spira*, and reprehend him for queſtioning thoſe Articles, as things that are moſt cleare, and in another *Briefe* to reprove the Counſellers, for perſwading him to it, and to admoniſh the Divines who have aſſiſted in the buſineſſe, to ſeek an abſolution from the cenſures. But having thought well on it, he conſidered that the ſtate of things was not then as it was under *Paul*. Firſt, becauſe that diſputation was publike, whereas this was private, and concealed of purpoſe that it might not be knowne, ſo that he might diſſemble all notice of it, whereas if it ſhould continue after his publike reprehenſion of it, he ſhould put himſelfe into greater danger; that it was convenient for *Charles* to ſtand united with the Pope that he might not ſubject himſelfe to the Dutch Princes, whereas this Emperour is, as it were, ſubject unto them already; finally that this remedy might be deferred, becauſe it would alwayes be in ſeaſon, but by diſſembling a while, he might obliquely make triall to hinder the reſolution of the conſultations which were made, by ſending the Cardinall of *Mantua* to his Majeſty.

A writing publiſhed in *Rome* againſt the French petitions.

Diſpleaſeth the Frenchmen and the Emperour.

The writing which went about againſt the petitions of the French-men, did not one diſpleaſe them, who tooke it for an affront, but the Emperour alſo very much. And the Legats having received commiſſion from *Rome* concerning

concerning them, were but ill ſatisfied, and thought that this was not to give commiſſion to Preſidents of Councell, but advertiſments rather to miniſters to make uſe of entreaties by way of negotiation. They wrote backe only to demand what they ſhould do, in caſe the Imperialiſts ſhould make inſtance to have their petitions propoſed: and they cauſed *Gabriel Paleotto*, Auditor of the *Rota*, to write a full information of the difficulties, which they ſent. But the Cardinall of *Mantua*, in regard the Emperour had tolde *Commendone*, that he would give anſwere to the Councell by his Ambaſſadour, thought it not convenient to goe unto him before they received that reſolution: beſides, the Cardinall of *Loraine* being at the Emperors Court, and the effect of his negotiation not known, he ſhould be doubtfull in what manner to proceede. Upon theſe reaſons he excuſed himſelfe to the Pope, and beſides wrote to him with his owne hand, that he had not a face to appeare any more in Congregation, to give words onely, as he had done two yeeres together; that all the Miniſters of Princes doe ſay, that howſoever his Holineſſe doth promiſe much for reformation, yet ſeeing nothing to be executed, they doe not thinke he hath any inclination to it; who if he had performed his promiſes, the Legates could not have beene wanting to give ſatisfaction to the inſtances of ſo many Princes. Neither ought any to marvaile that this Cardinall, a Prince converſant ſo many long yeeres in many great affaires, and of a moſt compleate converſation, ſhould uſe this paſſage with his Holineſſe, it being a thing naturall to men that are neere their grave, for ſome intrinſicall cauſe, unknowne even unto themſelves, to be diſtaſted with humane matters, and to neglect pure ceremonies; to which goale he was then very neere, there remayning but ſixe dayes of his life from the date hereof.

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The Cardinall of *Mantua* writeth freely to the Pope.

But in the Congregation, the laſt that ſpake in the ſecond ranke was *Adrian*, a Dominican Friar; who, touching but lightly the matter in queſtion, diſcourſed at large of diſpenſations, and, with Theologicall termes and formes defended the things mentioned by Doctor *Corniſius*, and ſpeake of them, not without ſcandall. He ſaid that authority to diſpence in humane lawes, was abſolute, and unlimited in the Pope, becauſe he was ſuperiour to them all; and therefore when he did diſpence, though without any cauſe, the diſpenſation was notwithſtanding to be held for good: that in divine lawes he had power to diſpence, but not without a cauſe. He alleadged Saint *Paul*, who ſaith that the *Miniſters* of CHRIST *are the diſpencers of the myſteries of God*; and that to him the Apoſtle, *diſpenſation of the Goſpel had beene committed.* He added, that howſoever the Popes diſpenſation concerning the Divine Law be not of force, yet every-one ought to captivate his underſtanding, and beleeve that he hath granted it for a lawfull cauſe, and that it is temerity to call it into queſtion. Then hee diſcourſed of the cauſes of diſpenſations; which he reduced to publique utility, and charity towards private men. This diſcourſe gave occaſion to the French-men to ſpeake of the matter, with the ill ſatisfaction of the Papalins.

The ſecond ranke having made an end of ſpeaking, for obſervation of the

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promiſe made to *Loraine*, not to handle the marriage of Prieſts in his abſence, they changed the order, and made the fourth ranke ſpeake next. *John Verdun*, handling the ſeventh Article of the decrees of affinity and conſanguinity, paſſed immediatly from it, and came to the matter of diſpenſations, and ſeemed to have none other aime, then to contradict Friar *Adrian*, labouring to weaken the Popes power. Firſt he expounded the places of Saint *Paul*, That *the Miniſters of* CHRIST *are the diſpenſers of the myſteries of God, and of the Goſpel*, and ſaid the gloſſe was contrary to the text. For the place doth not prove a diſpenſation, that is, a diſobligation from the Law, but a publiſhing and declaring the divine myſteries, and the word of God, which is perpetuall, and remaineth inviolable for ever. He granted, that in humane lawes a diſpenſarion might lie, in regard of the law-makers imperfection, who could not foreſee all caſes, and making generall lawes, muſt needs reſerve power to him that governeth the Common-wealth, becauſe of ſundry occurrences, which may bring acceptions in particular matters. But where God is the Law-giver, from whom nothing is concealed, and by whom no accident is not foreſeene, the law can have no exception. Therefore the law of God and Nature ought not to be called a written law, which in ſome caſes ought to be expounded, and made more gentle, but all that Law is even equity it ſelfe. In humane lawes, in which ſome caſes by reaſon of particular accidents, if they had been foreſeene, would not have been comprehended, a diſpenſation may well bee granted. But the diſpencer cannot, in any caſe, free him that is bound, and if he deny a diſpenſation to him that deſerveth it, the party refuſed ſhall notwithſtanding remaine without all obligation. That the world hath conceived a wrong opinion, that to diſpence, is to beſtow a favour, and that the diſpenſation is requiſite to be given, as any other part of diſtributive juſtice to be exerciſed; that the Prelate doth offend if he give it not to whom it is due. And, in ſumme, he ſaid, that when a diſpenſation is deſired, either the caſe is ſuch, as, if it had beene foreſeene, it wouldhave been excepted, and here there is an obligation to diſpence, or would have been comprehended, though it had been thought on by the Law-maker, and to this the power of diſpenſing is not extended. He added that flattery, ambition, and avarice have perſwaded, that to diſpence is to beſtow a favour, as the maſter would do to his ſervants, or one that giveth of his owne. The Pope is not Lord, and the Church a ſervant, but he is ſervant of him who is ſpouſe of the Church, and by him ſet over the Chriſtian family, to give, as the Goſpell ſaith, to every one his owne meaſure, that is, that which is due unto him. And, in concluſion, he ſaid, that a diſpenſation was nothing but a declaration or interpretation of the Law, and that the Pope could not, by diſpenſing, unbinde any that was bound, but declare onely to him that is not bound, that he is exempted from the Law.

The Cardinall of *Loraine* returneth.

The laſt day but one of February, the Cardinall of *Loraine* returned to *Trent*, having remained five dayes in *Iſpruc*, which he ſent in continuall negotiation with the Emperour, King of the Romans, and their miniſters. At his returne he found the Popes letters to him; in which he ſaid, that he did deſire a reformation ſhould be made and not deferred any longer, and

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that they might have time to labour therein, the words of the Decrees of *Order*, which were in difficulty, ſhould be taken away. The Cardinall did publiſh theſe letters purpoſely in *Trent*, where it was generally known that the Legats had a contrary Commiſſion. But the Papalins uſed all diligence to find what buſineſſe the Cardinall had, by meanes of thoſe who were in his company, and, in particular, what reſolution was taken concerning the ſeventeene Articles; and the rather, becauſe Count *Fredericke Maffei*, who came from *Iſpruc* but the day before, related that the Cardinall was every day in private conference, more then two houres, with the Emperour and King of the Romans. The French-men made ſhew to underſtand nothing of the Articles, and ſaid that none of the Dutch Divines had treated with the Cardinall, but *Staphilus* only, who preſented him with a booke which he had made in matter of reſidence, and *Caniſius*, when he went to ſee the Colledge of the Jeſuites; that the Divines had not ſpoken to the Emperour, but only when, going to ſee the Library, they overtooke him and the King his ſonne; who demanding what they thought concerning the grant of the Cup, the Abbat of *Clarevall* who was firſt of them, anſwered, that he thought it could not be granted: then the Emperour, turning to the King of the Romanes, ſpake this verſe of the *Pſalme* in *Latin*; *Fourty yeeres have I endured this generation, and have alwaies found them to erre in their will.*

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But *Loraine*, in viſiting the Legats, ſaid nothing, but that the Emperour was very well and zealouſly affected towards the Councel, deſiring it might produce ſome fruit, and that if occaſion were, he would aſſiſt in perſon, and goe to *Rome* alſo, to pray the Pope to have compaſſion of Chriſtendome, and to ſuffer a reformation to be made, which might not diminiſh his authority, to which he bare exceeding great reverence, nor would have any thing ſpoken of touching his Holines and the Court of *Rome*. But to others in private he ſaid, that if the Councell had beene governed with that wiſedome as was convenient, it would have had a ſudden and proſperous end; that the Emperor was reſolved, that a good and a ſtrong reformation ſhould be made, which if the Pope would continue to croſſe, as hitherto he had done, ſome great ſcandall would enſue; that his Majeſty purpoſed to go to *Bolonia*, in caſe the Pope came thither, with deſſigne to receive the Crowne of the Empire; and ſuch other things.

The Points on which the Card. of *Loraine* treated with the Emperour.

It is not to be doubted, that the Cardinall ſpake of the affaires of the Councell, and informed the Emperor of the diſorders, and delivered his opinion what remedies might be uſed, to oppoſe the Court of *Rome*, and the Italian Prelates of *Trent*, to obtaine in Councel the Communion of the Cup, the marriage of Prieſts, the uſe of the vulgar tongue in holy matters, the relaxation of other precepts of poſitive Law, a reformation in the Head and the members, and a meanes to make the Decrees of the Councell indiſpenſable, and how, in caſe they were not able to obtaine, they might have a colourable occaſion to juſtifie their actions, if, of themſelves, they ſhould make proviſion for the neceſſities of their people, by making a Nationall Councell, aſſaying alſo to unite the Germans with the French-men, in matters of religion. But this was not his negotiation onely. For he treated a mariage alſo, betweene the Queene of *Scotland* and the Arch-duke *Ferdi-*

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nand, the Emperours ſonne, and another betweene a daughter of his Majeſty and the Duke of *Ferrara*, and to finde a meanes to compoſe the differences of precedence betweene *France* and *Spaine*, which things, as domeſticall, doe touch Princes more neerely then the publique.

After the returne of *Loraine* the Congregations continuing, *James Alan*, a French Divine, entred likewiſe into the matter of diſpenſations, and ſaid, that authority to diſpence was immediatly given to the Church by Chriſt, and by it, diſtributed to the Prelates, as need required, according to times, places, and occaſions. He extolled the authority of Generall Councels, which repreſent the Church, and diminiſhed the Popes, adding that it belongeth to the Generall Councell to enlarge or reſtraine it.

The Cardinall of *Mantua* dieth.

The ſecond of March, the Cardinall of *Mantua*, having beene ſicke a few daies, paſſed to another life; which was cauſe of many mutations in Councell. The Legates did preſently ſend advice thereof to the Pope; and *Seripando*, who remained prime Legat, beſide the common letter, wrote in particular, that he would be glad his Holineſſe would ſend another Legat, his ſuperiour, to governe the Councell, or remoove him: but in caſe he would leave him prime Legat, he told him he would proceed as God ſhould inſpire him; and that otherwiſe it were better to remoove him abſolutely. The Cardinall of *Varmia* wrote a part alſo, that his Church had great neede of the preſence of a Paſtor, and that the communion of the Cup was brought in, and other notable abuſes, deſiring leave to go thither, to make proviſion herein, and that generally in all *Polonia*, there was neede of a perſon, who might keep the reſidue of the people in obedience, ſaying, he ſhould do the Apoſtolike *Sea* more ſervice in thoſe quarters, then he could by remayning in the Councell. But *Simoneta*, deſirous that the weight of the whole buſineſſe ſhould lie upon his ſhoulders, hoping to guide it with ſatisfaction of the Pope and his owne honor, conſidering that *Seripando* was ſatiated with it, and not inclined to governe it, and that *Varmienſe* was a ſimple man, fit to be led, he wrote to the Pope, that, the affaires of the Councell being not in a good ſtate, every novity would ſhake it much, and therefore did thinke fit to continue without ſending other Legats, and promiſed a good iſſue.

The three Legats remaining write to the Pope.

In thoſe dayes advice came from *Rome*, that a cauſe of the Biſhop of *Segovia*, which was to be propoſed in the *Rota*, was refuſed, and that one of the Auditors told his Proctor, that the Biſhop was ſuſpected of hereſie. This made a great ſtirre, not only amongſt the Spaniards, but all the *Oltramontanes* alſo, complaining that, in *Rome*, calumnies and infamies were raiſed againſt thoſe who did not abſolutely adhere to their wils.

The fourth of March the third ranke beganne to ſpeake: and, for the fift Article all agreed that it was hereticall, and to be condemned; and ſo they did of the ſixt. Yet there was a difference, becauſe ſome ſaid, that howſoever the Orientall Church and the Occidentall did differ, in regard this did admit to *Prieſthood* and holy *Orders* continent perſons only, and that did admit maried men, yet no Church did ever grant that Prieſts might marry and that this is ſo by Apoſtolicall tradition, not by reaſon of vow, or of any Eccleſiaſticall conſtitution; and therefore that, abſolutely, they were to be condemned for heretiques, who ſay it is lawfull for Prieſts to marry, though they

they reſtraine not themſelves to the Weſt, nor make mention of vow or law of the Church. And others ſaid, that no diſpenſation could be granted for Prieſts to marry for any cauſe whatſoever. Some ſaid that matrimony was forbid to two ſorts of perſons, for two cauſes. To ſecular Clerkes, in regard of holy *Orders*, by Eccleſiaſticall law; to regulars, in regard of their ſolemne vow. That the prohibition of mariage by conſtitution of the Church, may be taken away by the Pope, or, in caſe that remaine in force ſtill, the Pope may diſpenſe with it. They alleadged the examples of thoſe who have beene diſpenſed with, and the uſe of antiquity, that, if a Prieſt did marry, the mariage was good, but the man was ſeparated from the Miniſtery; which hath continually beene obſerved untill the time of *Innocentius* the 2. who, firſt of all the Popes, ordained that there ſhould be a nullity in the mariage. But with thoſe who are bound to continency by ſolemne vow this being *de jure divino*, they ſaid the Pope could not diſpenſe. They alleadged *Innocentius* the third, who affirmed that the obſervation of chaſtity, and the abdication of the propriety of goods, doth ſo cleave to the bones of Monkes, that the Pope cannot diſpence therein. Then they added the opinion of Saint *Thomas*, and of other Doctors, who affirme, that the ſolemne vow is a conſecration of the man to God, and that, becauſe no man can make a thing conſecrated to returne to humane uſes, no man likewiſe can make a Monke to returne to the power of marrying, and that all Catholike Writers doe condemne *Luther*, and his ſectaries of hereſie, for ſaying that Monkſhip is a humane invention; and doe affirme that it is by Apoſtolicall tradition: whereunto the opinion that the Pope may diſpence, is directly contrary. 1563 PIVS 4. FERDINAND ELIZABETH. CHARLES 9 PHILIP 2

Others did maintaine that the Pope may diſpenſe, even with theſe alſo, and marvailed at thoſe, who, granting the diſpenſation of ſimple vowes, did deny that of ſolemne, as if it were not moſt cleare, by the determination of *Boniface* the eight, that every ſolemnity is *de jure poſitivo*, making uſe alſo of the examples of things conſecrated to proove their opinion. For as a thing conſecrated, remaining ſo, cannot be imployed in humane uſes, but yet the conſecration may be removed, and the thing made prophane, whereby it may lawfully returne to a promiſcuous uſe, ſo a man conſecrated to Monkſhip, remaining alſo, cannot marry, but, the Monkſhip and conſecration, ariſing from the ſolemnity of the vow, which is *de jure poſitivo*, being removed, he may, without any more hinderance, live as others doe. They brought places of Saint *Auſtin*, by which it doth manifeſtly appeare, that in his time, ſome Monkes did marry. And howſoever it was thought they offended in it, yet the marriage was lawfull, and Saint *Auſtin* reprehendeth thoſe who did ſeparate them.

They ſaid moreover it was neceſſary to diſpenſe with Prieſts, or to take away the precept of continency. And the Duke of *Bavaria* having ſent to *Rome*, to demand of his Holineſſe the Communion of the Cup, requeſted alſo that married men might have leave to Preach, under which name all the Eccleſiaſticall miniſtery was underſtood, exerciſed by Pariſh-Prieſts, in the cure of ſoules. Many reaſons were alleadged, to perſwade the grant, which were reſolved into two; ſcandall given by incontinent Prieſts, and want

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want of continent perſons, fit to exerciſe the miniſtery. And the famous ſaying of Pope *Pius* the ſecond, was in the mouth of many, that Prieſts were by the Occidentall Church forbid to marry for good reaſon, but there was ſtronger reaſon to reſtore mariage to them againe. Thoſe of the contrary opinion ſaid, that it is not the part of a wiſe Phyſician, to cure one diſeaſe, by cauſing a greater; that if Prieſts are incontinent and ignorant, yet the Prieſthood is not to be proſtituted to married men. And here many Popes were alleadged, who did not permit it, becauſe they ſaid it was impoſſible to attend to the fleſh, and to the ſpirit, and that matrimony was a carnall eſtate; that the true remedie was to make proviſion of continent and learned perſons, by education, by diligence, by rewards and punithments, and, in the meane time, not to ordaine any but men of an approoved life; and, for doctrine to cauſe Homilies, and Catechiſmes to be printed in the Dutch and French tongues, compoſed by learned and religious men, to be read to the people out of the book by the unlearned Prieſts, by which means the Pariſh Prieſts, though unſufficient, might ſatisfie the people.

The principall reaſon why Prieſts are forbid to marry.

The Legats were blamed for ſuffering this Article to be diſputed, as being dangerous; becauſe it is plaine that married Prieſts will turne their affections and love to their wives and children, and by conſequence to their houſe and Country, ſo that the ſtrict dependance which the Clergie hath on the Apoſtolike *Sea*, would ceaſe, and to grant mariage to Prieſts, would deſtroy the Eccleſiaſticall *Hierarchie*, and make the Pope to be Biſhop of *Rome* only. But the Legats excuſed themſelves, that, to pleaſe the Biſhop of *Five Churches*, who had made this requeſt in the name of the Duke of *Bavaria*, and of the Emperour alſo, and to make the Imperialiſts not to be ſo earneſt in the matter of reformation, which was of more importance, they were forced to yeeld to this diſputation.

The French-men, perceiving it was the more common opinion that the mariage of Prieſts might be diſpenſed with, conſulted together whether it were fit to demand a diſpenſation for the Cardinall of *Borbon*, as *Loraine* and the Ambaſſadors had commiſſion. *Loraine* was of opinion, that it was not fit; ſaying, that, without doubt, the Councell would hardly be perſwaded that the cauſe was reaſonable, and urgent, in regard it was not neceſſary he ſhould have poſterity, the King being yong, there being two, Brothers, and other Princes of the blood, Catholikes: and for governing, during the minority of the King, he might doe it, remaining in the Clergie, that, in regard of the differences betweene the French and Italians, about reformation, and the authority of the Pope and Biſhops, their oppoſites would diligently oppoſe this demand; that it was better to go to the Pope, or expect a better occaſion, and that it was ſufficient for that time, to provide that no doctrine ſhould be eſtabliſhed in prejudice of it. Some thought that *Loraine* did not like, in his private opinion, that *Borbon* ſhould marry, in regard it might cauſe an emulation, or diminution of his houſe; but others did not thinke it profitable. Firſt, becauſe by this meanes all hope was taken from *Condé*, whom he miſtruſted much more; yea that he did much deſire that *Borbon* ſhould returne to the ſecular ſtate, that himſelfe might be the prime Prelat of *France*, and that, if a Patriarke were made, as he much deſired, he might

might undoubtedly be the man, which could not be, if *Borbon* did ſtill remaine in the Clergie. 1563

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Tow new Legates are created.

The Pope having received advice of the death of *Mantua*, and conſulted with his inward friends, thought it neceſſary to ſend other Legats, who being new, not intangled with promiſes and treaties, might follow his inſtructions with more eaſe. And therefore the ſeventh of March, the ſecond Sunday in Lent, not intimating a Congregation, as he was wont, but the Cardinals being aſſembled in the Chamber where they put on their robes to goe to the Chappell, according to the uſe, he ſtayed, and, excluding the Courtiers, cauſed the doores to be ſhut, and created Legats, the Cardinals, *John Morone*, and *Bernardus Navaggerus*, that, by the perſwaſions of Princes or Cardinals, he might not be forced to name others that pleaſed him not. The Pope thought to doe it ſecretly; but it came to the eares of the Frenchmen, and the Cardinall of *Bordißiera* ſpake to the Pope before he went out of the Chamber, and told him many reaſons, that, in caſe he would create new Legats, he could not commit the charge to a more worthy perſon then the Cardinall of *Loraine*. But the Pope being reſolute, and diſpleaſed that the matter was not ſo ſecretly carried, anſwered freely, that the Cardinall of *Loraine* came to the Councell as Head of one of the pretendent parties, and that he would depute thoſe who were Neutrals, and without intereſts. The Cardinall being about to reply, the Pope made haſte away, and went down out of the Chamber ſo faſt, that there was not time to make anſwere. The Congregation being ended, the Pope let the Cardinals go to the Chappell, and himſelfe returned to the Chamber becauſe he would not be in ceremony, when he was ſo much vexed with the words of that Cardinall.

The Duke of Guiſe is ſlaine under Orliance.

The ninth of March newes came to *Trent*, that the Duke of *Guiſe*, brother to the Cardinall of *Loraine*, as he returned from the trenches under *Orlience*, was ſhot, by *John Poltrot*, a privat Gentleman of the reformed religion, and ſixe dayes after dyed, to the great diſcontent of all the Court, and that, after he was wounded, he exhorted the Queen to make peace, and ſaid openly, that he was an enemy to the Kingdome who was againſt it. The Homicide being interrogated of his complices, named *Coligni*, the Admirall, and *Theodore Beza*, and afterwards excuſed *Beza*, but perſevered in accuſing the other. Yet he wavered ſo, that one could not tell what to beleeve. The Cardinall advertiſed hereof, provided a greater guard then formerly hee had: and, being exceedingly grieved for the death of his brother, who was ſo deare unto him, firſt of all he wrote a conſolatory Letter to *Antoniette de Borbon*, their common mother, full of exquiſite conceits, to be compared, or rather, as his friends ſaid, to be preferred to thoſe of *Seneca*; in the end whereof he ſaid, he was reſolved to goe to his Church of *Reims*, and to ſpend the reſidue of his life in preaching the word of GOD, inſtructing the people, bringing up his brothers children in Chriſtian piety, and never to ceaſe performing of theſe offices, but when the Kingdome, for ſome publike affaires, had need of his paines. The Letter was no ſooner parted from *Trent*, but the City was full of copies of it, rather importunely offered by his friends, then requeſted; ſo hard it is for the affection of ſelfe-love to be quiet, though in the occaſion of greateſt ſorrow. Afther this, the Cardinall, thinking

The Cardinall of Loraine writeth to his mother.

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thinking of the change of things by this variation, altered all his deſignes. And this cauſed a change alſo in the affaires of the Councell. For he being the man which the Emperour and Queen of *France* had, untill then, wholly employed, they were forced, for want of ſo fit a miniſter, to be more remiſſe in their purpoſes, and to proceed more ſlowly. But it happeneth in humane affaires, as it doth in fortunes at Sea, where, the windes being ceaſed, the waves doe tumultuate, for ſome houres after. So the great weight of the affaires of the Councell could not eaſily be appeaſed, in regard of their formed impetuous motion. But it is certaine, that the death of that Duke was a great beginning of the quiet which ſucceeded ſome moneths after eſpecially of the death of the other brother, great *Prior* of *France*, and the peace made with the *Hugonots*, and the inſtances of the Queen to the Cardinall to make his peace with the Pope, and returne into *France*: of which things we will ſpeake in due place. Hereby the Cardinall ſaw, that the affaires as they ſtood, would not be profitable, neither for himſelfe, nor his friends.

The death of the Duke cauſeth a great alteration in the Councell.

The death of *Guiſe* was lamented both in *Trent* and *Rome*, becauſe every one thought he was the onely maintainer of the Catholique party in the Kingdome of *France*; neither did it appeare what other perſon could ſucceed, in ſupporting that weight; the rather, becauſe every one was daunted by the example of his death. The French Prelats in the Councell were troubled in minde, becauſe they underſtood that an accord was treated with the *Hugonots*, who pretended, amongſt other things, that the third part of the Eccleſiaſticall revenues ſhould be employed for maintenance of the reformed Miniſters.

The Emperors letters to the Legates and the Pope.

In this variety of buſineſſes, and perplexity of mindes, *Five-Churches* returned to *Trent*, and, with the other Ambaſſadours of the Emperour, had audience with the Legats, and preſented to them the Emperors letter which he brought, and the copy of another written by his Majeſty to the Pope. They all made requeſt for the reformation, but in generall termes only, and very remiſſly. The Emperours letter to the Legats, did ſignifie his deſire to ſee ſome fruitfull proceeding of the Councell, for which it was neceſſary to remove ſome impediments, whereof having written to the Pope, he prayed them to labour in Councell, and to uſe perſwaſions to his Holines, that the future progreſſe might be for the ſervice of God, and benefit of Chriſtendome. In his letter to the Pope he ſaid, that, having diſpatched great buſineſſes with the *Electors*, and other Princes and States of *Germany*, nothing was more precious unto him, being *Advocate* of the Church, then to promote the affaires of the Councell; that he was come to *Iſpruc* for that cauſe, where, to his griefe, he underſtood that matters did not proceed as he hoped, and as the publike tranquillity did require; that he feared, if better order were not taken, the Councel would end with ſcandall of the world, and laughter of thoſe who had forſaken the obedience of the Church of *Rome*, who would be incited to retaine their opinions with greater obſtinacy, there had beene no Seſſion held of a long time; that while Princes did labour to unite the adverſaries differing in opinions, the Fathers came to contentions, unworthy of them; that there was a fame that his Holineſſe meant

to

to dissolve or suspend the Councell, perhaps mooved thereunto by the present state thereof: but that his opinion was to the contrary. For it had been better it had never been begun, then left unperfect with the scandall of the world, contempt of his Holinesse, and of the whole Clergie, prejudice of this and other future generall Councels, losse of that small remainder of Catholiques, and opinion of the world, that the end of the dissolution or suspension was only to hinder the reformation; that, in the intimation of it, his Holines did desire his consent, and of other Kings and Princes, which he did, in imitation of his predecessors, who alwaies have thought it necessary for so many respects; that the same reason doth conclude, that it cannot be dissolved or suspended without the same consent. And he exhorted him, not to hearken to those who would have him to dissolve it, a thing shamefull and unprofitable, which undoubtedly would be a cause of Nationall Councels, so much abhorred by his Hol. as contrary to the unity of the Church, which as they have been hindered by Princes to preserve the Popes authority, so they cannot be denyed, or deferred any more. He perswaded him to maintaine the liberty of the Councell, which was impeached principally by three causes. One, because every thing was first consulted of at *Rome*, another, because the Legats had assumed to themselves only the liberty of proposing, which ought to be common to all; the third, because of the practises which some Prelats, interested in the greatnes of the Court of *Rome*, did make. He said, that a reformation of the Church being necessary, and the common opinion being, that the abuses have their beginning and growth in *Rome*, it was fit, for common satisfaction, that the reformation should be made in Councell, and not in that City. And therefore desired his Holinesse to be content that the demands exhibited by his Ambassadors, and by other Princes, might be proposed. In the conclusion, he told him, he purposed to assist in Councell personally, and exhorted his Holinesse to doe the like. 1563 PIVS 4. FERDINAND ELIZABETH. CHARLES 9 PHILIP 2

With which his Holinesse is offended.

This letter was dispatched the third of March, and it gave much offence to the Pope. For he thought that the Emperour did embrace much more then his authority did reach unto, and passed the termes of his predecessors, men more potent then himselfe. But he was displeased more then he was advised by his *Nuncio*, that he had sent copies of the same Letter to other Princes, and to the Cardinall of *Loraine* also; which could be done to no other end, but to incite them against him, and to justifie his owne actions. Besides, Doctor *Scheld*, great Chancellor to the Emperour, perswaded *Delphinus*, the Popes *Nuncio* in that Court, that he would be a meanes that the words, *Universalem Ecclesiam*, might be taken away, which did inferre the superiority of the Pope above the Councell, saying, that these times did not comport they should be used, and that the Emperour and himselfe also did know, that *Charles* the fift, of happy memory, did hold the contrary opinion in this article, and that they should take heed of giving occasion to his Majesty and other Princes to declare what they thinke herein. The Pope considered that *Loraine* also had written, that it was not a time to handle the difficulty of the words *Universalem Ecclesiam*, &c. and the advice which came from *Trent*, that the Cardinal said, that neither himselfe, nor the French Prelats could endure them, that they might not canonize an opinion, contrary

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trary to all *France*, which, when men came to ſpeake plainely in the diſcuſſion of this point, would have more favourers then was beleeved, and that they were deceived who thought the contrary; which ſhewed clearely, that he had treated hereof at the Emperours Court. Theſe things conſidered, the Pope thought fit to make a good anſwere, and to ſend about alſo, to juſtifie himſelfe.

And anſwereth the letter thus.

Therefore he wrote to the Emperour, that hee had called the Councell with the participation of him, and of other Kings and Princes, not becauſe the Apoſtolike *Sea* had need, in governing the Church, to expect the conſent of any authority whatſoever, becauſe he had plenitude of power from Christ; that all the ancient Councels have been aſſembled by authority of the Biſhop of *Rome*, nor any Prince ever interpoſed, but as a meere executor of his will, he had never had any purpoſe either to diſſolve or to ſuſpend the Councell, but hath alwaies purpoſed to give a compleat end, for the ſervice of God; that, by conſulting in *Rome* of the ſame matters which were diſputed in *Trent*, the liberty of the Councel was not only not hindred, but promoted rather; that no Councell was ever celebrated in abſence of the Pope, but that he hath ſent inſtructions, which the Fathers have alſo followed; that the inſtructions do ſtill remaine, which Pope *Celeſtinus* ſent the *Epheſine* Councell, Pope *Leo* to that of *Chalcedon*, Pope *Agatho* to that of *Trullus*, Pope *Adrian* the firſt to the ſecond of *Nice*, Pope *Adrian* the ſecond to the eighth generall Councell of *Conſtantinople*; that, for propoſing in the Councell, it hath alwaies belonged to the Pope whenſoever he hath bin preſent, yea, he alone hath reſolved, and the Councell done nothing but approove; that in abſence of the Pope, the Legates have ever propoſed, or others deputed by them; in conformity whereof, the Councell of *Trent* hath determined, that the Legats ſhould propoſe; that this is neceſſary for the keeping of order, in regard there would be a great confuſion, if the Prelates, tumultuouſly and one againſt another, might ſet on foot matters ſeditious, and inconvenient; that the Legats have never refuſed to propoſe any thing that is profitable; that the practiſes, made by divers againſt the authority of the Apoſtolike *Sea*, hath much diſpleaſed him; that all the bookes of the Fathers and Councels are full, that the Pope, ſucceſſour of *Peter*, and *Vicar* of Christ, is *Paſtor* of the univerſall Church, that many conventicles and practiſes have beene made in *Trent*, againſt this truth, howſoever the Church hath alwaies uſed this forme of ſpeech, as his Majeſty might ſee, in the places which he ſent him cited in a paper incloſed, that all the preſent evils have riſen, becauſe the Legates, uſing connivency, that bad tongues might not take occaſion to ſpeake againſt the liberty of the Councell, had ſuffered their authority to bee contemned, ſo that the Councell might be ſaid rather to have licence then liberty; that, for reformation, he deſireth it ſhould be rigid and abſolute, and hath continually ſolicited the Legats to reſolve upon it; that, concerning the Court, the world knew how many proviſions he had made, even with the diminution of his rents, and that, if any thing remained, he would not omit it; that this could not be done in *Trent*, in regard the Prelates, being not informed well, in ſtead of reforming, would deforme it more; that, in the meane while, he deſired to ſee ſome re-

A paper full of quotations.

formation

formation in other Courts alſo, which had no leſſe need of it, in the affaires of the Church only, and that perhaps from the abuſes therein the evill doth principally ariſe; that, concerning the petitions propoſed by his Majeſties Ambaſſadors, and others, he hath alwaies written they ſhould be examined and diſcuſſed, each of them in its fit time, and that an order being inſtituted, and continued, to handle in Councell matters of faith, and reformation of the abuſes concerning them, both together, it could not be altered, without confuſion and indignity; that his Majeſty having touched divers diſorders of the Councell, had omitted the principall, and fountaine of the others, which is, that thoſe who ought to receive law from Councels, would give it unto them; that if the piety of *Conſtantine*, and the two *Theodoſij* were imitated, and their examples followed, the Councell would have had no diviſion betweene the Fathers, and been in great reputation with the world; that he deſired to aſſiſt perſonally in Councell, to remedy the diſorders thereof, but in regard of his age, and of his important affaires, it was impoſſible for him to go to *Trent*, and would not ſpeak of tranſlating it to a place whither he might go for feare of giving ſuſpition. 1563 PIUS 4. FERDINAND ELIZABETH. CHARLES. 9 PHILIP 2.

The Pope thought that the intereſts of the Emperor and of *France* could not be united with his, and therefore could promiſe himſelfe but little, and hope leſſe of them. For they did not thinke of the Synode but for the intereſts of their eſtates, and therefore did deſire nothing from it but what might give ſatisfaction and contentment to their people, and in caſe they cannot obtaine it, to hinder the ending of the Councell, and ſo to keepe their ſubjects ſtill in hope. But theſe intereſts could not moove the King of *Spaine*, whoſe people are Catholikes, and therefore he might conforme himſelfe to his will, without prejudice to his ſtates, yea that it was good for him to ſtand united with him, that he might obtaine graces; and therefore he thought it neceſſary to ſolicite him, with continuall perſwaſions, and to give him hope of all ſatisfaction. And *Lewis d' Avola* did opportunely arrive in *Rome*, ſent expreſly by his Catholike Majeſty. The Pope honored him above meaſure, lodged him in the Palace, in the roomes formerly inhabited by Count *Frederic Boremeo*, his Nephew, and uſed him with all effectuall courteſie. The cauſes of his comming were, to obtaine of the Pope a prorogation for five yeeres more of the Subſidie of the Clergie, graunted unto him, and power to ſell five and twenty thouſand Crownes of the Fees of the Churches. He had commiſſion alſo to procure a diſpenſation of marriage betweene the Princeſſe, Siſter of the King and his Sonne *Charles*, which, in *Spaine*, was thought eaſie, becauſe many, even private men, were diſpenſed with to marry the daughter of their brother or ſiſter, which is as much as to take the ſiſter of the Father, Beſides, *Moyſes* and *Aaron* were borne of ſuch a matrimony. For the marriage, the Pope ſaid he would doe as much as his authority would ſtretch unto, and would cauſe the matter to be conſulted on. But the Treaty did not proceed, in regard of the infirmity of the Princeſſe which ſucceeded, and made her unfit for marriage. Concerning the Subſidie, and alienation, the Pope ſhewed a willing minde, but made difficulty to doe it while the Prelates were at charges in the Councell, promiſing to gratifie the King if he would aſſiſt him to finiſh it, and to free him from it.

A Spaniſh Ambaſſadour commeth to *Rome*.

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For matters of the Councell, *Don Lewis* did not proceed farre in the firſt audiences, only he offered to procure the preſervation of the Popes authority, and exhorted his Holineſſe not to treat a league between the Catholikes, leſt the heretikes ſhould doe the like, and *France* runne headlong to any accord with th *Hugonots*.

In the meane while divers aſſembles were held in *Trent*: the Emperours Ambaſſadors called together the Spaniſh Prelates, in the houſe of the Archbiſhop of *Granata*, to perſwade them to conſent that the uſe of the Cup might be granted in Councell, purpoſing to propoſe it againe: but they found them ſo averſe, that they were forced to buy it in ſilence. The Cardinall of *Loraine* held many congregations with his Prelats and Divines to examine the places, ſent by the Pope to the Emperor, in the paper before mentioned, and by the Emperor to him, concerning the words, *Univerſalem Eccleſiam*, to ſee whether they were juſtly cited, and whether the true ſence was given them, that they might, as they did, make another writing, in confutation of it. The Emperour gave order that thoſe places might be imparted to the Spaniſh Prelates, that he might know their opinion; which *Five Churches* having done, when they were all aſſembled to this end, *Granata* anſwered that his Majeſty needed not to have taken ſuch paines with them who doe receive the Councell of *Florence*, but ſhould aske the French-men, who receive that of *Baſil*. Upon this occaſion ſome of them, when *Five Churches* was gone from them, did perſwade, that a letter ſhould bee written to the Pope, to take from him the bad opinion he had conceived of them. But *Granata* refuſed, and ſaid, it was ſufficient that hee knew by their voyces that they were not oppoſite herein; yet ſo, as it was not fit they ſhould imitate the flattery of the *Italians*. And he uſed theſe very words. *Let him reſtore unto us our owne, that we may leave unto him more then is his; and it is not juſt, that of Biſhops we ſhould be made his Vicars.* Another day the Ambaſſadours of the Emperour and French King met together, to ſet downe an order that the Decree of reſidence, compoſed by the Cardinall of *Loraine*, might be propoſed: which neither they, nor *Loraine* could obtaine of the Cardinall of *Varmia*, and *Simoneta*, *Seripando* beeing ſicke, and abſent.

In the congregation of the ſeventeenth of March, one of the Divines, finding opportunity to digreſſe from the continency of Prieſts to reſidence, ſpent his whole large diſcourſe therein. He brought authority and examples to perſwade that it was *de jure divino*, and to anſwer that objection; that many Canons and Decrees doe command it, which needed not, if it were commanded by God. He uſed this conceit, that *Jus divinum* is the foundation, or pillar of reſidence, and *Jus Canonicum* the Edifice or roof, and that as the building is overthrowne when the foundation is removed, and as the roof falleth when the pillar is taken away, ſo it is impoſſible to preſerve reſidence with *Jus Canonicum* only, and thoſe who aſcribe onely unto that, have no other ayme then to deſtroy it. He brought the examples of ancient times, noting that reſidence was exquiſitely obſerved by all, before any Canons or humane Decrees were made, becauſe every one held that he was bound by God. But ſince that ſome have perſwaded themſelves, that there

there was no obligation but that which is derived from humane Laws, howſoever theſe have often beene renewed, and fortified with penalties, yet all hath ſtill growne worſe and worſe. 1563 PIUS 4. FERDINAND ELIZABETH. CHARLES. 9 PHILIP 2.

The ſame day Cardinall *Seripando* dyed, to the great griefe of all the Prelates, and of all *Trent*, having in the morning received the Sacrament of the *Euchariſt*, which he tooke out of his bed upon his knees. After that, he returned into his bed, and in the preſence of five Prelates, and of the Secretaries of *Venice* and *Florence*, and of all his family, he made a long Oration in *Latin*, untill his ſpirits did faile him; he confeſſed his faith, wholly conformable to the Catholique of the Romane Church, ſpake of the workes of a Chriſtian, of the Reſurrection of the dead, of the affaires of the Councell, recommending the progreſſe of it to the Legates, and the Cardinall of *Loraine*; but ſtriving to ſet downe the meanes, his ſpirit did faile him, and he ſaid, that GOD had forbid him to proceed further, but that his Divine Majeſty would ſpeake himſelfe in time and place: and ſo paſſed, without ſaying any more. The death of *Seripando*.

The Count of *Luna* wrote from the Emperours Court, to *Martin Guſdelun*, the Secretary, and ſent a copy of a letter, written to him from the King, in which his Majeſty did adviſe, that the Pope had complained to him of the Spaniſh Prelates; and howſoever he beleeved that his Holineſſe was not well informed, thinking that the Prelates would ſhew devotion towards the Apoſtolike *Sea*, yet he gave order to the Count, that, at his comming to *Trent*, he ſhould cauſe them to favour the Pope, as farre as their conſcience could permit, and ſo to carry themſelves, that his Holineſſe might not have cauſe to complaine of him. And to this purpoſe the Count wrote alſo to *Granata*, *Segovia*, and *Leon*.

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Secret inſtruction given to Cardinall *Morone*.

The Pope anſwered *Don Lewis* in particular, that he had opened the Councell, upon promiſe of his Majeſtie that he would protect it, and preſerve the authority of the Apoſtolique *Sea*; but that he found he was deceived, in regard he had received more encounters from his Prelates, then from all the reſt, who, together with all the Clergie of *Spaine*, had made themſelves his enemies for the grant of the Subſidie; that he doubted not of the good will of his Majeſty, but all the evill did ariſe becauſe he had not ſent truſty Ambaſſadors, neither to *Rome*, nor to the Councell; that it was fit he ſhould leave the Councell in liberty, and he did deſire it more then any, yet he

heretikes doe inculcate the reformation that they may have a pretence for their ſeparation from the Church, and would not be reduced though it ſhould be made. He thought therefore, that if the Princes were made to underſtand this, they would abandon their inſtance, and ſuffer the Councell to end quietly. Wherefore he wholly bent his endeavours to overcome the difficulties, by this means. And conſidering well all reſpects, he thought it more eaſie to perſwade the Emperor, who could determine of himſelfe, and was of a more gentle and ſweet diſpoſition, farre from any cunning, and not intangled with warre, whereas in *France*, the King being a childe, many that were partakers in the government, uſing many artifices, and having divers intereſts, it would be very hard to doe any good. Whereupon he reſolved that Cardinall *Morone* before he entred into the affaires of the Councell ſhould go to the Emperour for this end. And remembring what *Loraine* ſaid in *Trent*, that the Emperour would go to *Bolonia* to receive the Crowne, he reſolved to try whether he could induce that Cardinall to be a mediatour herein, and ſo to tranſlate the Councell to that City. He gave order to the Biſhop of *Vintimiglia* to inſinuate with him, and to perſwade him to it; and, to give him a meanes of entrance, he cauſed *Boromeo* to give him commiſſion, to condole with him, for the death of his brother the great Prior.

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The Pope reſolveth to ſend Cardinall *Morone* to the Emperour.

And hath a plot upon the Cardinall of *Loraine*.

But before this order came, the Cardinall was gone from *Padua*. The Biſhop therefore conferring with *Simoneta*, concluded that the importance of the matter did not admit any loſſe of time, nor could be negotiated but in preſence. Wherefore he reſolved to follow him, pretending to ſee a Nephew of his, who was very ſicke in *Padua*. Being come thither, he viſited the Cardinall, preſented the letters of *Boromeo*, and condoled with him, making no ſhew of any other buſineſſe. Talking together, the Cardinall demaunded what newes there was in *Trent*, ſince his departure, and whether Cardinall *Morone* would go to the Emperour, as was reported. After many diſcourſes on both ſides, the Biſhop began to put him in mind that his *Excellency* had formerly told him in *Trent*, that, in caſe the Pope would go to *Bolonia*, the Emperour would go thither alſo, and would make it an occaſion to receive the Crowne, which would turne to the great advantage of his Holineſſe to maintaine the poſſeſſion of the coronation, which *Germany* did oppugne. The Cardinall affirming this againe, the B. added, that he had then ſent advice thereof to *Rome*, and now had received an anſwer: by which he did conclude that a very faire occaſion was preſented to his *Excellency* of doing much good to the Church of GOD, by labouring to bring ſo profitable a deſigne to effect. For in caſe he could perſwade his Majeſty to go to *Bolonia*, calling alſo the Councell thither, he might aſſure himſelfe that his Holineſſe would reſolve to be there likewiſe, and that, by the aſſiſtance of them both, the affaires of the Synod would have a quicke diſpatch, and a happy ſucceſſe. The Cardinall deſired to ſee what was written to him; and the Biſhop, making demonſtration to proceed freely with him, ſhewed him the letters of the Cardinall *Boromeo*, and a writing of *Ptolemeus Gallus*, the Popes Secretary.

The Cardinall having read all, anſwered, that at his returne to *Trent*, he ſhould

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For matters of the Councell, *Don Lewis* did not proceed farre in the firſt audiences, only he offered to procure the preſervation of the Popes authority, and exhorted his Holineſſe not to treat a league between the Catholikes, leſt the heretikes ſhould doe the like, and *France* runne headlong to any accord with th *Hugonots*.

In the meane while divers aſſembles were held in *Trent*: the Emperours Ambaſſadors called together the Spaniſh Prelates, in the houſe of the Archbiſhop of *Granata*, to perſwade them to conſent that the uſe of the Cup might be granted in Councell, purpoſing to propoſe it againe: but they found them ſo averſe, that they were forced to buy it in ſilence. The Cardinall of *Loraine* held many congregations with his Prelats and Divines to examine the places, ſent by the Pope to the Emperor, in the paper before mentioned, and by the Emperor to him, concerning the words, *Univerſalem Eccleſiam*, to ſee whether they were juſtly cited, and whether the true ſence was given them, that they might, as they did, make another writing, in confutation of it. The Emperour gave order that thoſe places might be imparted to the Spaniſh Prelates, that he might know their opinion; which *Five Churches* having done, when they were all aſſembled to this end, *Granata* anſwered that his Majeſty needed not to have taken ſuch paines with them who doe receive the Councell of *Florence*, but ſhould aske the French-men, who receive that of *Baſil*. Upon this occaſion ſome of them, when *Five Churches* was gone from them, did perſwade, that a letter ſhould bee written to the Pope, to take from him the bad opinion he had conceived of them. But *Granata* refuſed, and ſaid, it was ſufficient that hee knew by their voyces that they were not oppoſite herein; yet ſo, as it was not fit they ſhould imitate the flattery of the *Italians*. And he uſed theſe very words. *Let him reſtore unto us our owne, that we may leave unto him more then is his; and it is not juſt, that of Biſhops we ſhould be made his Vicars.* Another day the Ambaſſadours of the Emperour and French King met together, to ſet downe an order that the Decree of reſidence, compoſed by the Cardinall of *Loraine*, might be propoſed: which neither they, nor *Loraine* could obtaine of the Cardinall of *Varmia*, and *Simoneta*, *Seripando* bebeing ſicke, and abſent.

In the congregation of the ſeventeenth of March, one of the Divines, finding opportunity to digreſſe from the continency of Prieſts to reſidence, ſpent his whole large diſcourſe therein. He brought authority and examples to perſwade that it was *de jure divino*, and to anſwer that objection; that many Canons and Decrees doe command it, which needed not, if it were commanded by God. He uſed this conceit, that *Jus divinum* is the foundation, or pillar of reſidence, and *Jus Canonicum* the Edifice or roof, and that as the building is overthrowne when the foundation is removed, and as the roof falleth when the pillar is taken away, ſo it is impoſſible to preſerve reſidence with *Jus Canonicum* only, and thoſe who aſcribe onely unto that, have no other ayme then to deſtroy it. He brought the examples of ancient times, noting that reſidence was exquiſitely obſerved by all, before any Canons or humane Decrees were made, becauſe every one held that he was bound by God. But ſince that ſome have perſwaded themſelves, that there

there was no obligation but that which is derived from humane Laws, howſoever theſe have often beene renewed, and fortified with penalties, yet all hath ſtill growne worſe and worſe. 1563 PIUS 4. FERDINAND ELIZABETH. CHARLES. 9 PHILIP 2

The ſame day Cardinall *Seripando* dyed, to the great griefe of all the Prelates, and of all *Trent*, having in the morning received the Sacrament of the *Euchariſt*, which he tooke out of his bed upon his knees. After that, he returned into his bed, and in the preſence of five Prelates, and of the Secretaries of *Venice* and *Florence*, and of all his family, he made a long Oration in *Latin*, untill his ſpirits did faile him; he confeſſed his faith, wholly conformable to the Catholique of the Romane Church, ſpake of the workes of a Chriſtian, of the Reſurrection of the dead, of the affaires of the Councell, recommending the progreſſe of it to the Legates, and the Cardinall of *Loraine*; but ſtriving to ſet downe the meanes, his ſpirit did faile him, and he ſaid, that GOD had forbid him to proceed further, but that his Divine Majeſty would ſpeake himſelfe in time and place: and ſo paſſed, without ſaying any more. The death of *Seripando*.

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The Pope anſwered *Don Lewis* in particular, that he had opened the Councell, upon promiſe of his Majeſtie that he would protect it, and preſerve the authority of the Apoſtolique *Sea*; but that he found he was deceived, in regard he had received more encounters from his Prelates, then from all the reſt, who, together with all the Clergie of *Spaine*, had made themſelves his enemies for the grant of the Subſidie; that he doubted not of the good will of his Majeſty, but all the evill did ariſe becauſe he had not ſent truſty Ambaſſadors, neither to *Rome*, nor to the Councell; that it was fit he ſhould leave the Councell in liberty, and he did deſire it more then any, yet he

he was not pleaſed it ſhould have licenſe, nor be in ſervitude to thoſe Princes, who preach liberty, and are deſirous to command; that every one made requeſt to him for the liberty of the Councell, but he did not know whether they had all well conſidered of what importance it would be; if the Prelates had the raines laid on the necke; that howſoever there were amongſt them, ſome men excellent for integrity and wiſedome, yet there were of thoſe alſo, who wanteth either one of them or both; all which would be dangerous if they were not kept in order, that perhaps it did leaſt of all concerne him to thinke of it, becauſe, his authority being grounded upon the promiſes of God, he did truſt in thoſe; that Princes had more need to beware, in regard of the prejudices which may enſue, and that, if the Prelates had ſuch ſuperfluous liberty, perhaps his Catholike Majeſty would have cauſe to be ſory for it; that, for reformation, the impediments did not proceed from him; that he would continue to deferre the demands of Princes concerning the commnion of the Cup, and mariage of Prieſts, deſiring his Majeſty to conſider, that as he diſſented from others in theſe particulars, ſo in every thing elſe there are ſome who make requeſts for it, and others who oppoſe. He concluded, that it was in the power of his Majeſty to ſee a fruitfull, and a ſudden end of the Councell, from which ſo ſoone as he was free, he might promiſe himſelfe all favour from him. 1563 PIVS 4 FERDINAND ELIZABETH. CHARLES 9 PHILIP 2

The twentieth of March, the Divines made an end of the Articles of Matrimony; and the Legats conſulted privately, whether it were good to propoſe the doctrine, and Canons thereof in the Congregations of the Fathers. But, conſidering that the Frenchmen and Spaniards would oppoſe, and that greater controverſies might be raiſed then ever were, and that if they ſhould propoſe the abuſes only, they ſhould give the Emperors and French Ambaſſadours fit occaſion to enter againe into the matter of reformation, they were much perplexed what to doe. *Varmienſe* thought good to make triall, to accommodate ſome of the difficulties: but *Simoneta* feared that ſome great prejudice might enſue, in regard of the inſtability of his colleague; and attributing the blame of all the diſorders, which have hapned in Councell, and the two Legats dead, who proceeding in the matter of reſidence rather according to their owne opinion, then the neceſſities of the Church, have, by too much integrity, cauſed all the miſchiefe, and ſaid it was not fit to put themſelves in danger of raiſing greater; and therefore did not conſent that any of them ſhould be ſpoken of. Finally, they concluded to intermit all diſcuſſions, untill the comming of the new Legates. In the meane time, *Loraine* reſolved to go to *Venice*, to recreate his mind, poſſeſſed with griefe, for the death of his brother, the great *Prior*, which alſo had received his former ſorrow, for the death of the Duke his other brother. The Cardinall of *Loraine* reſolveth to go to *Venice*.

The difficulties which were ſpoken of, were ſixe. One concerning the Decree, made long before, that the Legats only ſhould propoſe. 2. Whether reſidence were *de jure divino*. 3. Whether Biſhops are inſtituted by CHRIST. 4. Concerning the authority of the Pope. 5. To encreale the number of the Secretaries, and to hold an exact account of the Suffrages. 6. (Which was of moſt importance) concerning the generall reformation: which I was willing to repeat here, as a recapitulation of that wherein the The 6. difficulties which trouble the Councell.

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Councell hath beene troubled untill this time, and a proheme of the troubles which ſhall be related hereafter.

The newes was now ſtale in *Trent*, of the inſtance made in *Rome* to the Pope. For the Emperours Ambaſſadours and the French, had publiſhed it ſhould be done, and that afterwards they would make the ſame requeſts to the Councell. The Cardinall of *Loraine*, who was wont to ſpeake variouſly, ſaid, that if thoſe Princes did receive ſatisfaction, by propoſing their petitions of reformation, and the reformation made, without diminution of the Popes authority, thoſe inſtances would immediatly ceaſe. And he added afterwards, that the Pope might have a good proceeding in the reformation, and a quicke diſpatch of the Councell, if he would declare himſelfe plainly, what points he would not have to be diſcuſſed, that they might labour in diſcuſſing the others; by which meanes the contentions would be taken away, which have cauſed all the delayes. For ſome, who deſire to ſhew their affection to his Holineſſe, ſuppoſing that a part of thoſe petitions may be prejudiciall to the Apoſtolike *Sea*, doe oppoſe them all: and others, denying that any of them doe prejudice, doe cauſe the buſineſſe to be drawne in length. But if his Holineſſe would declare himſelfe, the difficulties would ceaſe. The Emperours Ambaſſadors gave a copie to many in *Trent*, of his Majeſties letter to the Pope; which made the Legats reſolve to ſpread alſo the copy of the letter which themſelves had written in anſwer to the Emperour, when he ſent them that which he had written to the Pope; which letter being compoſed according to the inſtructions ſent from *Rome*, did containe the ſame conceits, as the letters of his Holineſſe did.

The Pope, comparing the propoſitions of all the Ambaſſadours with the ſpeech of *Loraine*, whereof advice was ſent him, was ſo much the more reſolute, not to conſent to the propoſitions of reformation, made by the French-men. And indeed, not only a perſon of a great ſpirit, and experienced in the world, as the Pope was, but every meane capacity might diſcover the cunning uſed, to draw him into the net, in caſe he had not beene wary. He conſidered, that to ſay he ſhould declare which of the petitions did not pleaſe him, did ſignifie nothing but that, by ſuffering the others to be diſcuſſed, he ſhould leave a way wide open to bring in the other afterwards, which were to his prejudice. And who could doubt that to obtaine the firſt would not be an end, but a degree to paſſe to that at which they aimed, and that to releaſe the Eccleſiaſticall precepts, belonging to the *rites*, as the communion of the Cup, marriage of Prieſts, uſe of the Latin tongue, which ſeeme, at the firſt view, not to derogate from the Popes authority, would notwithſtanding cauſe immediately a totall deſtruction of the foundations of the Church of *Rome*. Some things make a faire ſhew, and ſeeme that they may be admitted without loſſe; but a wiſe man muſt conſider the concluſion of things, rather then their beginning. Being therefore reſolved to ſtop theſe firſt paſſages, and conſidering what other remedies there might be, he returned to his firſt cogitations, that the King of *Spaine* had neither intereſt, nor any affection to proſecute the inſtances made; that the Emperor and French-men did much labour in them, hoping by this means to ſatisfie their people, and to appeaſe the diſcords, not knowing that the heretikes

heretikes doe inculcate the reformation that they may have a pretence for their ſeparation from the Church, and would not be reduced though it ſhould be made. He thought therefore, that if the Princes were made to underſtand this, they would abandon their inſtance, and ſuffer the Councell to end quietly. Wherefore he wholly bent his endeavours to overcome the difficulties, by this means. And conſidering well all reſpects, he thought it more eaſie to perſwade the Emperor, who could determine of himſelfe, and was of a more gentle and ſweet diſpoſition, farre from any cunning, and not intangled with warre, whereas in *France*, the King being a childe, many that were partakers in the government, uſing many artifices, and having divers intereſts, it would be very hard to doe any good. Whereupon he reſolved that Cardinall *Morone* before he entred into the affaires of the Councell ſhould go to the Emperour for this end. And remembring what *Loraine* ſaid in *Trent*, that the Emperour would go to *Bolonia* to receive the Crowne, he reſolved to try whether he could induce that Cardinall to be a mediatour herein, and ſo to tranſlate the Councell to that City. He gave order to the Biſhop of *Vintimiglia* to inſinuate with him, and to perſwade him to it; and, to give him a meanes of entrance, he cauſed *Boromeo* to give him commiſſion, to condole with him, for the death of his brother the great Prior.

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The Pope reſolveth to ſend Cardinall *Morone* to the Emperour.

And hath a plot upon the Cardinall of *Loraine*.

But before this order came, the Cardinall was gone from *Padua*. The Biſhop therefore conferring with *Simoneta*, concluded that the importance of the matter did not admit any loſſe of time, nor could be negotiated but in preſence. Wherefore he reſolved to follow him, pretending to ſee a Nephew of his, who was very ſicke in *Padua*. Being come thither, he viſited the Cardinall, preſented the letters of *Boromeo*, and condoled with him, making no ſhew of any other buſineſſe. Talking together, the Cardinall demaunded what newes there was in *Trent*, ſince his departure, and whether Cardinall *Morone* would go to the Emperour, as was reported. After many diſcourſes on both ſides, the Biſhop began to put him in mind that his *Excellency* had formerly told him in *Trent*, that, in caſe the Pope would go to *Bolonia*, the Emperour would go thither alſo, and would make it an occaſion to receive the Crowne, which would turne to the great advantage of his Holineſſe to maintaine the poſſeſſion of the coronation, which *Germany* did oppugne. The Cardinall affirming this againe, the B. added, that he had then ſent advice thereof to *Rome*, and now had received an anſwer: by which he did conclude that a very faire occaſion was preſented to his *Excellency* of doing much good to the Church of GOD, by labouring to bring ſo profitable a deſigne to effect. For in caſe he could perſwade his Majeſty to go to *Bolonia*, calling alſo the Councell thither, he might aſſure himſelfe that his Holineſſe would reſolve to be there likewiſe, and that, by the aſſiſtance of them both, the affaires of the Synod would have a quicke diſpatch, and a happy ſucceſſe. The Cardinall deſired to ſee what was written to him; and the Biſhop, making demonſtration to proceed freely with him, ſhewed him the letters of the Cardinall *Boromeo*, and a writing of *Ptolemeus Gallus*, the Popes Secretary.

The Cardinall having read all, anſwered, that at his returne to *Trent*, he ſhould

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ſhould better underſtand the Emperors minde, and what anſwer the Pope had ſent to his Majeſty, whereby he might reſolve better, and would not faile to beſtow his paines if there were occaſion. The Biſhop replying, that he might plainly underſtand the Popes mind, by the letters which he ſhewed him, and that there was no cauſe to expect better information, the Cardinall entred into other diſcourſes, neither could the Biſhop, though he often returned to the ſame matter, draw any other anſwere from him. He ſaid indeed, that the Emperour had ſpoken of his going to *Bolonia*, becauſe the Pope had told him of his purpoſe to make the reformation; but, ſeeing that it is now plaine, by long experience, that howſoever his Holineſſe promiſeth many things, yet nothing is executed in Councell, his Majeſty and other Princes doe beleeve, that he hath no true meaning of performance, and that, otherwiſe, the Legats would not have failed to have executed his will. He ſaid the Emperour was not ſatisfied, for that the Pope having, in January, ſhewed a purpoſe to go to *Bolonia*, was cooled on the ſudden, and that when his Majeſty told him of his deſire to aſſiſt perſonally in Councell, his Holineſſe laboured much to diſſwade him, uſing his wonted variety of ſpeeches. He ſaid alſo that the Emperour would not reſolve to go into *Bolonia*, leſt he ſhould diſpleaſe the Princes, who might doubt; that when he was there his Holineſſe would governe all after his own manner, and conclude the Synod as he liſted, without making any reformation. He ſaid he had received adviſe of the inſtance, made by *Don Lewis d' Avila* in the name of the Catholique King, and was glad to heare it. And ſpeaking at large of the particulars, hee added, that it was neceſſary it ſhould be performed, even from *Alpha* to *Omega*, and that it was fit to remoove from the Councell fifty Biſhops at the leaſt, who doe alwaies oppoſe all good reſolutions. He ſaid that formerly he thought there were more abuſes in *France*, then elſe where, but now he knew that there were enough in *Italy* alſo. For the Churches are in the hands of Cardinals, who, ayming at profit only, doe wholly abandon them, and leave the cure to a poore Prieſt; by which meanes the Churches are ruined, and Simonies, and an infinite of other diſorders committed. For remedy whereof, the Princes and their miniſters did proceed moderately, hoping that, at the laſt, the deſired reformation would be made. That himſelfe alſo had proceeded with reſpect; but now, ſeeing that it was time to labour in earneſt for the ſervice of God, he would burthen his conſcience no more; but, in the firſt voyce he ſhould give, was reſolved to ſpeake hereof. That his family had ſuffered, as every one knoweth, the loſſe of two brothers; that himſelf would ſpend his blood in the ſame cauſe, though not in Armes, as they did; that his Holineſſe ought not to hearken to thoſe who would divert him from ſo pious an intention, but to reſolve to obtaiue a reward at the hands of God, by the merit of removing the abuſes of the Church. He ſaid alſo, that, when the new Legates came, who no doubt would be well informed of the Popes minde it would be knowne what his purpoſe was concerning the reformation, in regard they could have no cauſe to delay it, if they meant to make it at all. And howſoever the Biſhop did often aſſay to bring him backe to ſpeak of the journey to *Bolonia*, yet he alwaies turned the diſcourſe another way. *Vintimiglia* ſent advice

vice of all to *Rome*, and gave his cenſure, that, howſoever the Cardinall had heretofore made mention of his journey, this mind was contrary, and ſpake it onely in cunning, to diſcover the intention of his Holineſſe and of the Court, and that he was glad he had found his purpoſe. For if he had promiſed to labour herein, he might have prolonged the buſineſſe, and cauſed divers prejudiciall inconveniences to ariſe. 1563 PIVS 4. FERDIN AND ELIZABETH. CHARLES 9 PHILIP 2.

Adviſe came to *Rome* that, the French King had made peace with the *Hugonots*, the particular conditions being not knowne as yet. And the Pope thinking it proceeded from ſome Prelates, who, though they did not openly declare themſelves to be Proteſtants, yet did follow that party, he reſolved to diſcover them, and was wont to ſay, that he was wronged more by the masked heretiques, then by the bare-faced. Whereupon, the laſt of March, having cauſed firſt the Emperours letter written to him to be read, as alſo his owne anſwer, he paſſed from that buſineſſe, and related the confuſions of *France*, adding, that the Cardinall *Chaſtillion*, having changed his name of Biſhop of *Beauvois*, into Count of *Beauvois*, had alſo pronounced himſelfe deprived of the Cardinals Hat, attributing all the diſorders to him, to the Arch biſhop of *Aix*, the Biſhop of *Valence* and ſome others. Which things, howſoever they were notorious, and needed no further proofe to come to the declaration thereof, yet he gave order that the Cardinals, who governed the Inquiſition, ſhould proceed againſt them. The Cardinall of *Piſa* anſwering, that there was need of proper & ſpeciall authority, the Pope ordained, that a new Bull ſhould be made, which was dated the ſeventh of April, and contained in ſubſtance; That the Pope of *Rome* being Vicar of CHRIST, to whom he hath recommended the feeding of his ſheepe, to reduce thoſe that wander, to bridle with temporall penalties thoſe who cannot be gained by admonitions, he hath not, ſince the beginning of his aſſumption, omitted to execute this charge. Notwithſtanding ſome Biſhops are not onely fallen into hereticall errours, but doe alſo favour the heretikes, oppoſing the faith. For proviſion wherein, he commandeth the generall *Inquiſitors* of *Rome*, to whom he hath formerly commended this buſineſſe, to proceed againſt ſuch, though Biſhops and Cardinals, inhabiting in places where the Lutheran ſect is potent, with power to cite them to *Rome*, by Edict, or to the confines of the Church, to appeare perſonally, or, if they will not appear, to proceed to ſentence, which he will pronounce in private Conſiſtory. The Cardinals, in conformity of the Popes command, cited, by Edict, to appeare perſonally in *Rome*, to purge themſelves from imputation of hereſie, and of being favourers of heretikes, *Odet Cologni*, Cardinall *de Chaſtillion*, Saint *Maine*, Arch-biſhop of *Aix*, *John de Montluc*, Biſhop of *Valence*, *Johannes Antonius Caracciolus*, Biſhop of *Troyes*, *John Barbanſon*, Biſhop of *Apam*, *Charles Gilar*, Biſhop of *Chartres*. Newes out of *France*.

But the abſence of *Loraine* in *Trent*, and the expectation of the comming of the new Legats, with opinion that the forme of proceeding in Councell ſhould be changed, and the dayes of the Paſſion and Eaſter approaching, gave ſome little reſt from the negotiations. On good Friday, Cardinall *Madruccio* returned to honour the Legate *Morone*, who was then expected, and arrived the next day late at night. He made his entry pontifically The entry of Cardin. *Morone* into *Trent*.

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under a canopy, was met by the Legats, Ambaſſadours, and Fathers of the Councell, and Clergie of the City, and conducted to the Cathedrall Church, where the Ceremonies uſed in receiving Legats, were performed. The morrow, which was *Eaſter day*, he ſung the ſolemne *Maſſe* in the Chappell. The Count of *Luna* came to *Trent* alſo this day, and was met by the Prelats, and Ambaſſadours. He entred into the City betweene the Ambaſſadours of the Emperor, and of *France*, with many demonſtrations of friendſhip. He was alſo viſited by the French, who told him, they had commiſſion from the King and Queene to communicate all their affaires unto him, and offered to joyne with him in all the ſervices of the Catholique King his Maſter. *Luna* anſwered, that he had the ſame order, to communicate with them, and that he would hold good correſpondency. He viſited the Legates, uſing many loving words, and generall offers.

Cardinall *Morone* is received in Congregation.

The thirteenth of April there was a congregation, to receive Cardinall *Morone*, where, after the *Briefe* of his Legation was read, he made a ſpeech, fit for the occaſion, and ſaid, that the warres, ſeditions, and other calamities, preſent, and imminent, for our ſinnes, would ceaſe, if a meanes were found to appeaſe God, and to reſtore the ancient purity, for which end the Pope had, with great judgement, aſſembled the Councell, in which are two Cardinals, Princes, famous for nobility and vertue, Ambaſſadours of the Emperour, and of ſo many great Kings, Princes, free Cities and Nations, and Prelates of excellent learning and integrity, and moſt skilfull Divines. But, *Mantua* and *Seripando* being dead, the Pope had ſubſtituted him, and joyned *Navagero* with him, which he had refuſed, knowing the weight of the burthen, and the weakeneſſe of his ſtrength. But the neceſſity of obedience hath overcome feare; that he was commanded to go to the Emperour, and would returne ſhortly, to treat with the Fathers, in company of the other Legates that which doth concerne the ſalvation of the people, the honour of the Church, and the glory of Christ; that he brought with him two things; one, a good meaning of the Pope to ſecure the doctrine of faith, to correct bad manners, to provide for the neceſſities of Provinces, and to eſtabliſh peace and union, even with the adverſaries, as much as piety and the dignity of the Apoſtolike *Sea* can permit; the other, his owne readines, to doe what his Holineſſe had commanded him. He prayed the Fathers, that contentions and diſcord, and unprofitable queſtions being laid aſide, which doe grievouſly offend Chriſtendome, they would handle ſeriouſly the things that are neceſſary.

Perſwaſions of the Count of *Luna*.

The Count of *Luna* uſed perſwaſions to all the Prelates, vaſſals of his King, Spaniards or Italians, or beneficed in his ſtates, exhorting them in the name of his Majeſty, to ſtand united in the ſervice of God, and reverence towards the Apoſtolique *Sea*, and not to doe themſelves wrong, ſaying he had commiſſion to adviſe particularly of the proceedings of every one, and that his Majeſty will keep a particular account of thoſe who will carry themſelves according to his deſire, and that he would not have them ſay any thing againſt their conſcience. And he ſpake ſo, that every one underſtood, that theſe laſt words were ſpoken ſeriouſly, and the other in Ceremony.

Morone

Morone was willing to ſee *Loraine*, before he went to the Emperour, who becauſe he would not ſpeake with him, deferred his returne. For having ſpoken in *Venice* with *Navaggero*, and underſtood a good part of the Popes inſtructions, he was willing to avoid occaſion, that *Morone*, communicating unto him all, or part of that which he was to treat with the Emperor, ſhould put him into ſome obligation. Whereupon *Morone* parted the ſixteenth of April. He ſaid, he was ſent onely to juſtifie the Popes good intention, that the Councell might proceed, and an abſolute reformation of the Church be made without any exception. Notwithſtanding his other commiſſions were known, which were to diſſwade his Majeſty from comming to *Trent*, becauſe many impediments of the reformation would be cauſed thereby; to excuſe the Pope, that he could not perſonally aſſiſt in Councell, and to pray him to haſten the end of it, propoſing the tranſlation to *Bolonia*, where his Majeſty and the Pope might meete, which would be a good meanes for him to receive the Crowne of the Empire in ſo famous an aſſembly; a favour which never had beene done to other Emperours. He had charge alſo to pray him to maintaine the authority of the Apoſtolike *Sea*, againſt all the plots, made to diminiſh it, or rather to bring it to nothing; and that the reformation of the Court of *Rome* might not be made in *Trent*, but by the Pope himſelfe; that no mention might be made of renewing the things determined under *Paul* and *Julius*, in the ſame Councell; that his Majeſty would be content, that the Decrees ſhould be made in Councell, by the propoſition of the Legate onely, firſt imparting them, and having the conſent of the Ambaſſadors of his Majeſty and of other Princes. He had commiſſion alſo to give the Emperour hope of a particular grant of whatſoever he would demand, for his people, and to diſſwade him from holding intelligence with the French King, in this matter of the Councell, ſhewing him that as the State of *France* and *Germany* was not the ſame, ſo the ends of his Majeſty and of that King muſt needs be divers, and their counſels different. The Legats, remaining in *Trent*, did willingly give the Prelates leave to depart, and eſpecially thoſe who held the inſtitution of Biſhops and reſidence to be *de jure divino*.

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The 20 of April *Loraine* returned, and was met by the Ambaſſadours of the Emperour, of *Polonia*, and of *Savoy*; and the ſame day newes came of the peace concluded by the French King with the *Hugonots*, which was more for the advantage of the Catholike party. For after the battell before mentioned, the factions were equally balanced, untill the death of *Guiſe*. Afterwards *Colignie* tooke, by aſſault, the fort of *Cadome*, with ſo much reputation to himſelfe, and diminution of the Catholiques, that it was reſolved in the Kings Councell to conclude the treaty of peace, which was continually managed ever ſince the battell. To this end, the ſeventh of March an aſſembly was made, to which the priſoners, *Conde* and the *Conſtable*, were brought. And, after ſome ſpeech, they being releaſed upon promiſe, to conclude the 72 conditions, the *Hugonot* Miniſters aſſembled, and reſolved not to conſent to any agreement, except the Edict of January might be obſerved, without any exception, or condition; adding alſo, that hereafter their religion ſhould not bee called new; that children baptized by them

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The conditions of the accord in *France.*

ſhould not be rebaptized; that their mariages ſhould be eſteemed lawfull, and their children legitimate. From which conditions becauſe they would by no meanes depart, *Condé* and the Nobility, weary of warre, without calling the Miniſters any more, did make the agreement. And the capitulations, concerning religion, were theſe. That where the Noblemen of the *Hugonots* have high juſtice, they may live in their houſes, in liberty of conſcience, and exerciſe of the reformed religion, with their families, and ſubjects. That other Gentlemen, who hold in fee, not dwelling under other Catholique Lords of high juſtice, but immediatly under the King, may exerciſe the ſame in their houſes, for themſelves, and their families only. That, in every Bayliweeke, an houſe ſhall be appointed, in the Suburbs, in which the reformed religion may be exerciſed, by all of that juriſdiction. That every one may live in his own houſe without being enquired into, or moleſted for his conſcience. That in all Cities, where that religion hath beene exerciſed untill the ſeventh of March, it ſhall be continued in one or two places of that city, ſo that the Catholike Churches be not taken for that uſe, which alſo ſhall be reſtored to the Eccleſiaſtiques, in caſe they have been ſurpriſed by them, yet ſo as that they ſhall not pretend any thing for demolitions made. That, in the City and Precincts of *Paris*, there ſhall be no exerciſe of that religion, but thoſe who have houſes or revenues there, may returne and enjoy them, without being moleſted for matters either paſt or to come, concerning their conſciences. That all ſhall repoſſeſſe their goods, honors, and offices, notwithſtanding the ſentences to the contrary, and executions of them, ſince the death of *Henry* the ſecond untill now. That the Prince of *Condé*, and all his followers ſhall be ſaid to have a good end and intention, for the ſervice of the King. That all priſoners of warre, or juſtice, for matter of religion, ſhall freely be ſet at liberty. That an oblivion of things paſt ſhall be publiſhed, and injuring and provoking one another, as alſo diſputing and contending about religion ſhall be forbid, and that they ſhall live as brothers, friends, and fellow Citizens. This accord was eſtabliſhed the twelfth of March, to the diſcontentment of *Colignie*, who ſaid, their affaires were not in ſtate to make ſuch advantagious conditions. That it was propoſed unto him in the beginning of the warre, to make peace with the Edict of January, and now that they might require more advantage, the conditions were worſe. To ſay that in every Bayliweeke there ſhall be one place for the exerciſe of religion, is to take away all from God, and to give him a portion. But the common inclination of all the Nobility did force him to be content. Concerning theſe conditions the Kings letters were diſpatched, the nineteenth of the ſame moneth: in which it was ſaid; That it having pleaſed God to permit, for ſome yeeres, the kingdome to be afflicted with ſeditions and tumults, raiſed for matter of religion, for which cauſe armes were taken, with infinite ſlaughters, ſacking of cities, ruines of Churches, and now, by continuance of the evill, having experience that warre is not the proper remedy for this maladie, the King hath thought fit to reunite his ſubjects in good peace, truſting that time, and the fruit of an holy, free, generall, or Nationall Councell will eſtabliſh the ſame. And heere the Articles, concerning religion, were added, beſides the others in matters of State:

which

which letters were publiſhed, and regiſtred in Court of Parliament, and pub- 1563
likely proclaimed in *Paris*, the ſeven and twentieth of the ſame moneth.

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This was blamed by the greater part of the Fathers in Councell, who ſaid it was to preferre the things of the world, before the things of GOD, yea to ruine both the one and the other. For the foundation of a ſtate, which is a religion, being removed, it is neceſſary that the temporall ſhould come to deſolation; whereof the Edict made before was an example, which did not cauſe peace and tranquillity, as was hoped, but a greater warre then before. And ſome of the Prelats did dare to ſay, that the King and the whole Councell had incurred the excommunications of many *Decretals*, and Bulls, for having given peace to the heretikes; and that there was no hope that the affaires of that Kingdome would proſper, where there is a manifeſt diſobedience unto the Apoſtolique *Sea*, untill the King and the Councell did cauſe themſelves to be abſolved from the cenſures, and did perſecute the heretikes with all their forces. In defence whereof the French-men ſaid, that the tribulations, continually ſupported by all *France*, and the manifeſt danger of the ruine of the Kingdome did ſufficiently juſtifie this action againſt the oppoſition of thoſe, who, regarding onely their owne intereſts, doe not conſider the neceſſity in which the King was, which is more potent then any law; alleadging that of *Romulus*, that the good of the people is the moſt principall law of all. But theſe reaſons were not eſteemed, and the King was blamed above all, becauſe he ſaid in the proheme, that the time, and the fruit of of an holy, free, generall or Nationall Councell would cauſe the eſtabliſhment of tranquillity; which they ſaid, was an injury to the generall Councell, to be put in alternation with a Nationall, and that the Cardinals of *Borbon*, and of *Guiſe* ſhould be named amongſt the Authors of the Councell to make peace, ſaying it was a great injury to the Apoſtolique *Sea*.

The Synode beganne alſo to bee troubled amongſt themſelves, for a ſmall cauſe, which did give much matter of diſcourſe. Friar *Peter Sota* about this time, and three dayes before his death, did dictate and ſubſcribe a letter to be ſent to the Pope, in which, by way of confeſſion, he declared his opinion concerning the points controverted in Councell, and did particularly exhort his Holineſſe to conſent, that reſidence, and the inſtitution of Biſhops might be declared to be *de jure divino*. The letter was ſent to the Pope, & Friar *Lodovicus Sotus*, his companion, kept a copy of it; who thinking to honour the memory of his friend, beganne to ſpread it. This cauſed much ſpeech. Some were mooved with the action of a doctor of an honeſt life, and at the time of his death. Others ſaid he did it not by his owne motion, but at the inſtigation of the Arch-biſhop of *Braganza*. *Simoneta* laboured to get in all the copies; which did increaſe curioſity, and made them publiſhed the more, ſo that they were in the hands of all. And it is certaine that the maintainers of theſe opinions were encouraged by this accident. The Spaniards did often meet in the houſe of the Count of *Luna*, where *Granata* informed him of the preſent and paſt occurrences of the Councell; and, the Biſhops of *Leria*, and *Patti* being departed, he ſaid, theſe are forlorne men, who, like to animals, ſuffer the burthen to be laid upon them, and

The letter of *Sota* to the Pope.

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themſelves to be governed by the will and opinion of another, who are good for nothing but to make a number: adding, that if in their reſolutions they proceeded by number of voyces, as hitherto they had done, little good could be hoped for; and that it was neceſſary that matters ſhould be handled by way of Nations. The Count ſaid, it was neceſſary to provide for that and many other things, beginning from the revocation of the Decree that the Legats only may propoſe, and from eſtabliſhing the liberty of the Councell; for which things hee had ſpeciall commiſſion from the King; which being well ſetled, the reſidue would be provided for with eaſe. The Legats and other Papalins were diſpleaſed to ſee that the Spaniards, their oppoſits, did never go from the Count: and as it happeneth when one entreth new in a place where are contrary factions, every one hopeth to gain him, the Legats alſo did ſtrive to put him on the ſide of the Prelates the Kings Subjects, whom they called their well-willers, becauſe they had intelligence with them, that they might doe a good office, and, as they ſaid, undeceive him, and make him to know the truth. They imployed alſo herein the Ambaſſadour of *Portugal*, who, having much opportunity to ſpeak often with him, becauſe thoſe Kings had almoſt the ſame intereſt in reſpect of matters Eccleſiaſticall, did cunningly (becauſe he was much obliged to the Pope) lay before him the things which the Popes miniſters had ſuggeſted to him, for the ſervice of the Court of *Rome*.

The 22 of April, appointed for the Seſſion, drawing neere, a congregation was held the day before, to conſult about the prorogation of it. The Legates did propoſe the deferring of it untill the third of June. But *Loraine* ſaid it was a great ſcandall to all Chriſtendome to prorogue the Seſſion ſo often, and never to hold it? which would be increaſed alſo if it were put off to another day, and afterwards deferred againe? therefore, ſeeing that none of the things propoſed and handled concerning Reſidence, and the Sacraments of *Order* and *Matrimony* were reſolved, it was better not to prefixe a certaine day, but to expect untill the twentieth of May, and then to reſolve upon the time, becauſe the progreſſe of all things would then more plainly appeare; and, in the meane while, not to looſe time, voyces may be given concerning the Articles of the abuſes of the Sacrament of *Order*, before the end whereof Cardinall *Morone* would be returned from the Emperor, with ample reſolution, whereby the matters in controverſie may be compoſed, and diligence uſed to finiſh the Councell within two or three moneths. Cardinall *Madruccio* and ſo many of the Fathers followed that opinion, that it prevailed, and it was decreed that the day to celebrate the next Seſſion ſhould be prefixed the twentieth of May.

The Congregation being ended *Antonius Chierelia* Biſhop of *Budua*, who, in delivering his voyce, was wont to entertain the Fathers with ſome witty conceit, and oftentimes to adde ſome merry Prophecies, which were ſpread abroad in divers parts, did then alſo deliver one concerning the city of *Trent*. He ſaid in ſubſtance; that *Trent* had beene favoured, and elected for the city; in which the generall concord of Chriſtendome was to bee eſtabliſhed, but being made unworthy of that honour, by reaſon of the inhoſpitality thereof, would ſhortly incurre a generall hatred, as the ſemina-

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rie, of greater diſcords. The ſence was covered with divers *enigmaes*, in a Poeticall Propheticall forme, yet not ſo but that it was eaſily underſtood. 1563 PIVS 4 FERDINAND ELIZABETH CHARLES 9 PHILIP 2

Loraine having obtained the generall conſent, with ſo much reputation, the Papalins grew jealous; who, conſidering the honor which was done to him the day before by thoſe who met him, and now by the receiving of his opinion, thought it not onely an indignity to the Legates, but an entrance alſo to breake the Decree, that onely the Legates ſhould propoſe. And they ſpake publiquely, that the Pope ſaid well, that the Cardinall was Head of a party, and that he prolonged the quicke diſpatch of the Councell, and hindred the journey to *Bolonia*. But *Loraine*, not caring what was ſaid in *Trent*, and intending his negotiation with the Emperour, diſpatched a Gentleman to him, with the opinion of the Doctors, concerning the Articles put into conſultation by his Majeſty; whom hee cauſed to tell him, that, for the good proceeding of the Councell, it was neceſſary he ſhould ſpeake earneſtly to *Morone*, and ſhew his great deſire to ſee good reſolutions, for the glory of God; as alſo of the deſire of all the good Fathers that he would not remove further from the Councell, in regard of the fruit which they hoped for, by meanes of his vicinity, which will keepe every one in his duty, and hinder the attempts of thoſe who would tranſlate it into another place, as he was adviſed that ſome did lay plots to doe, and that before hee parted from *Iſpruce*, his Majeſty would be aſſured that the liberty of the Councell, whereof he is protectour, might be preſerved. He ſent him a copy of the Edict of *Pacification* in *France*, and of a letter of the Queene of *Scotland*, in which ſhe gave account of her delivery from a great conſpiracy, and of her reſolution to live and die in the Catholique Religion. In the end, the Cardinall prayed his Majeſty to uſe ſome meanes that there might be no diſpute in Councell for the precedence, betweene *France* and *Spaine*, that the good proceeding thereof might not be hindred.

Loraine ſendeth a Gentleman to the Emperour.

The two Legates, that they might not doe nothing in the abſence of *Morone*, did, the 24 of April, impart to the Ambaſſadours the Decrees compoſed concerning the abuſes of *Order*, that they might conſider on them: and the 29 day they gave them to the Prelats. The firſt, of the election of Biſhops, in which were expreſſed their qualities conformable to the ancient Canons, the Ambaſſadours did not approve, becauſe it ſeemed to reſtraine too much the authority of their Princes in the preſentation or nomination of them. And they all laboured very much, eſpecially the Count of *Luna* that it might be amended, or rather quite omitted; a thing which did likewiſe much pleaſe the Legates. And the Emperours miniſters made difficulty alſo, in regard of their deſſigne to make an occaſion ariſe of handling the Election of Cardinals, and by conſequence, of the Pope.

The ſame day at night Cardinall *Navaggero* (having given out, to avoid meetings and ceremonies, that he would enter the next day) arived in *Trent*, who ſaid, that, at their departure from *Rome*, the Pope had told them, that they ſhould make a good and a rigorous reformation, preſerving the authority of the Apoſtolique *Sea*, which is abſolutely neceſſary, to keepe the Church in good forme and order.

The Legate *Navaggero* commeth to *Trent*.

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But notwithſtanding all this, his Holineſſe in his ſpeeches to the Ambaſſadors reſiding with him, deſired them to tell him what reformation their Princes would have. And his end was, that, their demands being given to him, they might forbeare to preſent them to the Councell, and to have means, by ſhewing the invincible difficulty in every particular, to pacifie the raging humour of reformation. And he ſaid often to the Ambaſſadors, that their Princes were deceived if they thought a reformation would reduce the heretiques, who firſt of all made themſelves Apoſtates, and then alleadged the abuſes and deformations, for a pretence; that the true cauſes which have moved the heretikes to follow their falſe treachers are not the abuſes of the Clergie, but of civill governments; that if all defects of the Eccleſiaſtiques were wholy corrected, yet they would not returne, but would invent other colours, to perſevere in their obſtinacy; that theſe abuſes were not in the primitive Church, nor in the time of the Apoſtles, and yet as many heretiques, in proportion of the faithfull, were then as now; that himſelfe did deſire, in ſincerity of conſcience, that the Church might be amended, and the abuſes remooved, but ſaw plainely that thoſe, who doe procure it, doe not aime at this good marke, but at their particular profit, which in caſe they ſhould obtaine, greater abuſes would ariſe, and the preſent not bee taken away, that the reformation is not hindred by him, but by the Princes, and by the Prelates in Councell; that himſelfe would make one, and that very rigorous alſo, but in caſe he ſhould come to the concluſion, the contentions betweene Princes, ſome deſiring it after one manner, ſome after another, and thoſe of the Prelates, who are no leſſe oppoſite, would hinder all; that he knoweth very well that it is unſeemely to attempt that which would onely diſcover the common defects or wants, and that thoſe who deſire reformation, mooved with zeale, doe, as Saint *Paul* ſaith, uſe it without Chriſtian wiſedome, and nothing would be effected, but as now it is knowne that the Church hath defects, ſo it would appeare that they are incurable, and which is worſe, men would begin to defend and to juſtifie them as lawfull uſes.

The Popes diſcourſe to the Ambaſſadors.

He did expect, with impatience, the end of the negotiation of *Morone*; from whom he had advice that the Emperour tooke time to anſwere, and ſtill continued in conſulting upon the Articles. Hee thought that all the orders and reſolutions which came out of *France* to *Rome*, and to the Councell, did proceed from the opinion and counſell of *Loraine*; and therefore, not to omit any meanes of gaining him, the Cardinall of *Ferrara* being to returne into *Italy* very ſhortly, with whom *Loraine* was to ſpeake for many cauſes concerning their common nephewes, he wrote unto him to uſe perſwaſions that he would be content with the tranſlation of the Councell to *Bolonia*; and, that he might be well informed of the affaires of *Trent*, hee gave order that *Vintimiglia* ſhould meet *Ferrara*, before his parley with *Loraine*, and carry with him the inſtructions of the Legats, beſides that which himſelfe did know.

The Popes plot to gaine the Car. of *Loraine*.

The moneth of May did begin with new diſcourſes of the peace of *France*, For the Kings letters came to *Loraine*, and the French Ambaſſadours, to informe them thereof with commiſſion to impart all to the Fathers of the Coun-

Councell, either in generall or in particular, as ſeemed them beſt. The letters were dated the fifteenth of the laſt moneth, and did ſhew principally, that, by the peace, he had no intention to favour the introduction, or eſtabliſhment of a new religion in the kingdome, but that, with leſſe contraction and difficulty he might reduce all his people into one holy Catholike religion, by laying downe of armes, and remooving the civill diſſentions and calamities. But he added, that a pious and ſerious reformation (alway expected from a generall and free Councell) would aſſiſt him moſt of all, in this good worke; for ſolicitation of which, he was reſolved to ſend the Preſident *Birague* to *Trent*. But, in the meane while, he gave commiſſion to the Ambaſſadours already in that City, to let the Fathers know, upon every good occaſion, that he was ſenſible ſtill of the ruines and afflictions which the diverſity of opinions in religion have cauſed in his kingdome, with the apparant decay, and greater danger of the State; and rather than he would returne to that extremity, he was reſolved, in caſe the generall Councell would not performe its duty, and that which is expected from it, by ſo holy and neceſſary a reformation, to call a Nationall, having firſt given ſatisfaction to God and men, by continuall perſwaſions uſed to the Fathers and the Pope, to obtaine of them a remedy againſt the common evill; that, to effect this with greater eaſe, he had diſpatched the Lord *d'Oyſel* to the Catholique King, and the Lord *d'Allegres* to the Pope, and commanded *Birague*, that after he had performed his charge with the Fathers of the Councell, he ſhould paſſe to the Emperour, to try, if, by meanes of theſe Princes, he might gaine ſo great a benefit. 1563 PIVS 4 FERDINAND ELIZABETH CHARLES 9 PHILIP 2

It is certaine that the Pope was much diſtaſted with the peace, as well for the prejudice of his authority, as becauſe it was concluded without his knowledge, having made ſo great contributions to the war. But the King of *Spaine* was diſpleaſed more. For being, by his ſouldiers, a party in the warre, and the victory, and having ſpent ſo much, he thought all was loſt, and that it was not juſt to conclude a peace without him, to the prejudice of religion, which he undertooke to defend and maintaine; eſpecially having ſo great intereſts therein, in reſpect of the damage he did receive in the govervement of the Low-Conntries, it being plaine, that every proſperity of the *Hugonots* in *France*, would encourage the people of *Flanders*, and ſtrengthen them more in their contumacie. For theſe reaſons, the Catholique Ambaſſadour in *France*, made great complaints: which was the principall cauſe, why theſe extraordinary Ambaſſages were ſent to *Rome*, and into *Spaine*, to make knowne that the King and his Conncel were not induced to make this accord by their owne will, but by meere neceſſity, and for feare that groſſe armies would be ſent out of *Germany* to the *Hugonots*, which, as was reported, were prepared about *Strasburg*, and in other places. For thoſe Dutch-men, who had made war in *France*, being returned home, loaden with ſpoiles, they invited others to goe thither and make themſelves rich. Neither were they without feare that the Princes of the Empire would, upon that occaſion, aſſay to recover *Mentz*, *Tul*, *Verdun*, and other Cities of the Empire, and that the Queen of *England* would aſſiſt the *Hugonots* more potently then ſhe had done, to poſſeſſe ſome other places, as already ſhe had

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poſſeſſed *Haure de Grace*. But, beſides this principall end of both the Ambaſſages, *d'Oyſel* was afterwards to make a propoſition for tranſlating the Councel from *Trent* to *Conſtance*, *Wormes*, *Ausburg*, or ſome other place in *Germany*, and to repreſent to the King, that, in regard it ought to be celebrated for the Dutch, Engliſh, Scottiſh, and part of the French-men, and other Nations, who were reſolute not to adhere to, nor ever to accept that of *Trent*, it was in vaine to continue in that place. *Conde* was author of this negotiation; who hoped by this meanes, if it did ſucceed, to ſtrengthen his party, by uniting it to the intereſts of ſo many Kingdomes and Princes, and to weaken the Catholiques, by promoting difficulties againſt the Councell of *Trent*. But it did not take effect. For the King of *Spaine* having heard the propoſition (which I ſay by way of anticipation that I may not returne to this matter) did perceive what the aime was; and made a full anſwer that the Councell was aſſembled in *Trent* with all the ſolemnities, with conſent of all Kings, Princes, and at the inſtance of *Francis* the French King; that the Emperor had ſuperiority in that City, as in the others that were named, and might give full ſecurity to all, in caſe the former Safe conduct were not ſufficient; that he could not chooſe but favour it in the place where it was, and accept the determinations thereof. And he adviſed the Pope of all, aſſuring him he would never change that reſolution.

The French-men in *Trent* thought it ſuperfluous to make inſtance to the Fathers, as the King had commanded, before the returne of *Morone*, it being generally reſolved that all Conciliary actions ſhould be deferred untill then. But the Emperour had not diſpatched that Cardinall, and informed *Loraine* at the ſame time, that, for divers accidents, & becauſe the propoſitions were of the weight and importance, as that they did deſerve mature deliberation and conſultation, he had not been able as yet, to give a reſolute anſwer, but he hoped it ſhould be ſuch, as to make all men know, that his actions were anſwerable to his deſire, to ſee the affaires of the Councel ſet ſtraight, for the common benefit. Therefore, notwithſtanding the occaſions and urgent neceſſities of his other Provinces, he reſolved to continue his reſidence in *Iſpruc*, to favour the liberty of the Councell, by his preſence, untill he had hope to ſee ſome good fruit. This delay did not pleaſe *Morone*, not that the Emperour ſhould referre, as he did, all the negotiations to the Divines, and Counſellors: and both he and the Pope did doubt that the anſwere would be deferred untill he had heard *Prague*, who as they were informed, was to propoſe the tranſlation of the Councell into *Germany*, to give ſatisfaction to the *Hugonots*, whereunto the Pope was reſolute not to conſent, as well by his owne inclination, as in regard of the inſtance made unto him by the Colledge of Cardinals and all the Court. And he marvailed at the humor of the French-men, who demanded a reformation and a tranſlation at the ſame time, and deſired to have a ſupply from the Clergie, for payment of the Kings debts, and yet would make ſhew to be favourors of the Church.

But the truth was that the French-men, being aſſured they could obtaine nothing fit for their ſervice, ſo long as the Italians did make the major part, began to deſpaire, and to hold no eſteeme of the Councell when it remained in *Trent*. Therefore they took from the Divines, ſent by the King, their publique

publique allowance, and gave them all leave either to depart, or remaine there; ſo that almoſt all went away, one after another. The two Benedictines remained untill the end, who were maintained by their Monaſteries, as alſo *Hugonius*, whom the Papalins cauſed to be lodged, and defrayed, in the Monaſtery, and gave him fifty crownes every three moneths. 1563 Pius 4 Ferdinand. Elizabeth. Charles 9. Philip 2.

Loraine, having examined the allegations ſent by the Pope to the Emperour, and made a cenſure upon them, ſent it to his Majeſty: He thought he had done all ſecretly; but *Hugonots* had not onely diſcovered it; but given a copy to the Legates; who, expecting *Morone* ſhortly, wrote, by order from the Pope, to the Biſhops departed from *Trent*, that they ſhould returne, to reſume the actions of the Councell. In the meane while a Congregation was made the tenth of May, to reade the letters of the Queen of *Scotland*, preſented by the Cardinall of *Loraine*, in which ſhe declared, that ſhe did ſubmit her ſelfe to the Councell, made mention of her ſucceſſion to the Kingdome of *England*, promiſing that in caſe it did happen, ſhe would ſubject both thoſe Kingdomes to the obedience of the Apoſtolique Sea. The letters being read, the Cardinall made an eloquent Oration to excuſe the Queen, for ſending neither Prelates nor Ambaſſadours to the Councell, becauſe they were all heretikes, and promiſed that ſhe would never vary from the true Religion. For anſwer, thankes were given, in the name of the Synode. Some laughed, becauſe the negotiation was as if it had been of a private perſon, not of a Prince, and marvelled that ſhe had not ſo much as one Catholique ſubject to ſend. But the wiſer ſort did beleeve this was begged, and extorted from her, becauſe ſhe was able to doe like a Prince, in regard ſhe had ever many Catholiques about her.

The cenſure of *Loraine* upon the Popes allegations.

The Secretarie of *Loraine* was returned whom he ſent to *Rome*, to cleere him of the imputation that he was a Head of a faction whom the Pope received with demonſtration of love, and ſeemed to beleeve his expoſition, and wrote to the Cardinal that he was content that the contentious matters ſhould be omitted, the doctrines of Order and Reſidence not ſpoken of, but the reformation only treated on. *Loraine*, imparting this letter to *Simoneta*, that order might be taken to begin, was deferred untill the return of *Morone*; wherewith he was diſtaſted, as if he had been mocked by the Pope. And, joyning this with the advice which came unto him, that *Morone*, ſpeaking with the Emperour of the liberty of the Councell, ſaid that himſelfe and the French Ambaſſadours did hinder it more then others, he complained upon every occaſion to all with whom he ſpake, that the Councel had no liberty, and that not only the reſolution of every little particular was made at *Rome*, but that the Fathers, and eſpecially the Cardinall *Madruccio*, and himſelfe were not thought worthy to know what was commaunded by the Pope, that they might conforme themſelves to the will of his Holineſſe, and that it was ſtrange that ſo many Curriers ſhould be diſpatched from *Trent* to *Rome* by the Legats, for every ſmall occurence, and ſometimes many concerning the ſame matter, and yet it could never be knowne what reſolution or anſwere came from thence. The Papalins bluſhed hereat, becauſe the things were ſo apparant, and publike, that they could neither be denied, nor excuſed. *Loraine*, full of theſe ill ſatisfactions, being called the next day to

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consultation, to treat of beginning the Congregations, becauſe *Morone* had written he would be in *Trent* within eight days, both parties ſtood a good while without ſpeaking one word, and afterwards entring into complements, they parted one from another, without talking of the buſineſſe.

Lanſac ſpeaketh freely to the Legats.

The Proctors of the French Prelats, who remained in the Kingdome, being arrived in *Trent*, they deſired the Ambaſſadors that they might be admitted in Congregation; which *Simoneta* refuſing, *Lanſac* replied, that they had demanded it in reverence, not becauſe they did acknowledge the Legats for Judges, and that hee was reſolute that the difficulty ſhould bee propoſed in Councell. This made the Legats alter their purpoſe to expect *Morone*, and appointed a Congregation for the fourteenth of May, to handle the abuſes of *Order*. Where *Loraine*, giving his voyce concerning the firſt point (which afterwards was taken away for the cauſes which ſhall be related hereafter) ſpake at large of the abuſes occurring in that matter. And, that he might more freely inveight againſt the diſorders of *Rome*, he began with *France*, not ſparing the King; he condemned the *Concordate*; ſaid that the diſtribution of the Benefices of the Kingdome, which ought to belong to the Chapters, was divided between Pope *Leo*, and by *Francis*, ſcarcely forbearing to ſay, as the prey is divided amongſt Hunters. He diſliked that the King and Princes had the nomination of Prelatures, and that Cardinals did poſſeſſe Biſhopricks; & blamed alſo the accord lately made by the King with the *Hugonots*. But, leaving *France*, he ſaid that *Rome* was the fountaine whence all diſorders did iſſue; that no Cardinall was without a Biſhoprick, yea, without many, howſoever thoſe charges were incompatible; that the invention of *Commendaes*, *Unions* for life, adminiſtrations, by which, againſt all law, many Benefices were given to one perſon alone really, with appearance that hee had but one only, was a mocking of the Majeſty of God. He often alleadged that place of S. *Paul*, *Take heed of errors, for God is not mocked, and one ſhall reape only that which he hath ſowed*. He ſpake much againſt diſpenſations, by which the ſtrength of all laws is taken away; as alſo againſt many other abuſes, and with ſuch eloquence, that he ſpent the whole Congregation. His diſcourſe was not well taken by the Papalins. *Simoneta* did openly treat with divers Prelats to oppoſe him, and ſaid he ſpake like the *Lutherans*, and God grant that he were not of their opinion: wherewith *Loraine* was much offended, and complained to the Pope. In the Congregations following, nothing but ordinary, unworthy of memory, was ſpoken, except one would relate the flateries, obliquely uſed, by thoſe who had undertaken to juſtifie the uſances reprehended by *Loraine*.

The Cardinall of *Lorain*, in delivering his ſuffrage.

Is thought to ſpeak like a *Lutheran*.

In this interim Cardinall *Morone* had dis diſpatch in writing from the Emperor, in very generall termes; that he would defend the authority of the Pope againſt hereticks, if need were; that he would remaine at *Iſpruc*, and paſſe no further; that the tranſlation of the Councel to *Bolonia* was not to be made without conſent of the Kings of *France* and *Spaine*, that, for his coronation, he could not reſolve before he had propoſed it in Diet, becauſe being done on the ſudden, it would give much matter of diſcourſe to *Germany*; that he would reſt ſatisfied with the proceeding in Councell upon theſe two conditions; that the reformation might be made in *Trent*, & that every

every one might propoſe: deſiring they would preſently begin to handle the Articles exhibited by him and *France*. Concerning this negotiation of the Cardinall, and of the anſwer made, I have related what I have found regiſtred in publike monuments; but I ought not to omit the fame, then divulged in *Trent*, and beleeved by men of the greatſt underſtanding, that the Cardinall had treated with the Emperour, and with his ſon, King of the *Romans*, more ſecret matters, and ſhewed them, that in reſpect of the divers ends of Princes and Prelats, and of their divers and important intereſts, which were contrary, it was impoſſible the Councell ſhould have ſuch an end as ſome of them did deſire. Hee told them, that, in the matter of the Chalice, marriage of Prieſt, and of the vulgar tongue, things deſired by his Majeſty and the French King, neither the King of *Spaine*, nor any Prince of *Italie* would ever conſent; that, in matter of reformation, everie ſort of perſons would remaine in their preſent ſtate, and reforme others; whence it commeth that every one demandeth reformation, and yet, when any Article thereof is propoſed, more doe oppoſe than favour it; that every one thinketh of himſelfe only, and doth not conſider the reſpects of another, that every one would have the Pope a miniſter of his deſignes, not thinking whether others will remaine offended for it; for whom it is neither honeſt, nor profitable, to favour one with the diſſervice of another; that every one would have the glory, to procure the reformation, and yet perſevere in the abuſes, laying the burthen upon the Pope only. The Cardinall diſcourſed alſo, that, for the reformation of the Pope himſelfe, hee would not ſay what the mind of his holineſſe was; but for that which neither doth nor can touch him, how can any one perſwade himſelfe that hee would not condeſcend, but that he knoweth that which is unknowne to others, becauſe the reſpects of all are referr'd unto him alone. He ſaid moreover, that the experience of theſe fifteene months ſince the opening of the Councell, hath ſhewed, that the pretentions are multiplyed, and the diverſity of opinions increaſed, and do ſtill proceed forward to the height; that, in caſe it ſhould continue long, ſome notable ſcandall muſt neceſſarily happen. He told him of the jealouſie which did poſſeſſe the Princes of *Germany*, and the *Hugonots* of *France*, and concluded that ſeeing it was plaine that the Councell could do no good, it was expedient to finiſh it in the beſt manner it was poſſible. It was ſaid that thoſe Princes were perſwaded that they could never obtaine any thing that was good by meanes of the Councell, and therefore thought it better to bury it with honor, and that they gave their word to that Cardinall to uſe connivency hereafter, and not to take it ill if the Councell were ended. And he that ſhall obſerve what end the Councell had, and that thoſe Princes had no ſatisfaction in any of their demands, will eaſily beleeve that the fame was true; but conſidering, on the other ſide, that the inſtances of the Emperours miniſters did not ceaſe after this negotiation, hee will thinke it a vaine rumour. But to avoyde both the abſurdities, one may beleeve that thoſe Princes did then lay hope aſide, and reſolve not to oppoſe the ending of the Councell; yet ſo, as that they held it not honourable to make a ſudden retreate, but

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The ſecret negotiation of the Cardinall Morone with the Emperor.

Who giveth his word to connive hereafter.

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but to remit their inſtances by degrees, that they might not publiſh their want of judgement, for conceiving hope of good by that meanes, and for not beleeving the obſervation of Saint *Gregory Nazianzen*, who teſtifieth, that contentions have alwaies been encreaſed by the Epiſcopall aſſemblies. The truth of this particular I put in the number of thoſe things, the knowledge whereof I cannot attaine unto. But it is certaine that the *cataſtrophe* of the Councell, which it was thought could not poſſibly have a quiet concluſion, had beginning in this time.

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THE EIGHTH BOOKE OF THE HISTORY OF THE COVNCELL OF *TRENT.*

THE seventeenth of May, Cardinall *Morone* returned to *Trent* from his Legation in *Ispruc*; and the Legates presently beganne to treat amongst themselves about the certaine day of the Session, becauſe the twentieth was neere when it was to be determined. And, becauſe they knew not when the matters would be in order, in the Congregation of the nineteenth day, a prorogation was made untill the tenth of June, to determine then the prefixed time. In that Congregation two notable things did happen. One was the contention, whether it did belong to the Legates, or to the Councell, to determine whether the Proctors of the Biſhops ought to be admitted in Congregation, begun (as we have ſaid) by *Lanſac*. The French Prelates did maintaine, that the Legates had no other prerogative but to be the firſt, and had no authority, as they were ſeparated from the Fathers of the Councell; alleadging the Councell of *Baſil*, and other monuments of antiquity. On the other ſide, it was ſaid, that the Councell could not be lawfull, except it were called by the Pope, and that it belongeth to him only to determine who may aſſiſt and have voyce in it; and that to give this power to the Councell, would be to give it authority to generate it ſelfe. After ſome contention, the matter did remaine undecided. In giving of voyces concerning the abuſes of *Order* another queſtion ſucceeded. For the Biſhop of *Philodelphia* made a great and a long exclamation, that Cardinalls have Biſhopricks without maintaining ſo much as a Suffragan; which was much derided by many, as if the Biſhop, being but titular, had ſpoken for the intereſt of himſelfe, and of ſuch as he was.

A queſtion about the authority of the Legats.

In the Congregation of the 21 of May the Count of *Luna* was received, forty dayes after his arrivall, in regard of the difficulties for precedence with the

The Count of *Luna* is received in Congregation.

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the French Ambaſſadours. In the meane while, many conſultations were held to compoſe them; but the French would by no meanes yeeld that he ſhould have any place but below, and after them. Whereupon he thought to ſtand on his feet in the midſt of the place amongſt the Emperors Ambaſſadors (who had order from their Maſter to accompany him) and to ſtand by them untill hee had finiſhed his oration, and then to returne preſently to his houſe. But this ſeemed diſhonorable for the King. Therefore he laboured to perſwade the French not to enter in Congregation that day; whereunto they not conſenting, he thought to force them to it, by making ſome Spaniſh Prelat demaund, that Secular Ambaſſadors might not aſſiſt in the Congregations, becauſe they were never admitted in the ancient Councels. But thinking that this would offend all Princes, hee purpoſed to uſe meanes that ſome Prelats ſhould propoſe the handling of ſome things, at which it would not be reaſonable that the French Ambaſſadors ſhould be preſent; as might be, the prejudices which might come to Chriſtendome by the capitulations made with the *Hugonots*; or ſome ſuch thing. This, comming to the eares of the Cardinall of *Loraine*, put another courſe in his head; and, conſulting with the other French-men, they reſolved not to conteſt any more, if a place were given him a part out of the order of the Ambaſſadors. Therfore the Count, entring into the Congregation the day before mentioned, and comming to the place aſſigned for him, which was in the midſt of the aſſembly over againſt the Legats, he preſented the *Mandat* of his King; which being read by the Secretary, he immediatly proteſted, that, howſoever, in that and all other places, hee ought to be next after the Emperors Ambaſſadors, yet becauſe that place, the cauſe w^ch^ was handled, and the time did not comport that the courſe of divine matters, and of the publique welfare ſhould be hindred by humane contentions, he did receive the place given him, but proteſting that his modeſty, and the reſpect he had not to hinder the progreſſe of the Councell, ought not to be prejudiciall to the dignity and right of his Prince, *Philip*, the Catholique King, nor of his poſterity, but that they remaine intire, ſo that they may always make uſe of them, as if his due place had now been given unto him; requiring that his proteſtation might be written in the Acts, and that they may not be publiſhed without it, and a copy thereof given unto him. After this the French Ambaſſadors did proteſt alſo, that if they ſhould ſet in any other place than next to the Ambaſſadors of the Emperor, and before the Ambaſſadors of other Kings, which their Predeceſſors have always held, and namely in the Councell of *Conſtance*, and the *Lateran*, they ſhould be wronged; and if the new place in which the Ambaſſador of his Catholique Majeſty did ſet, ſhould bring any prejudice to them, or to the *Orators*, the Fathers of the Councel, repreſenting the Church univerſall, ſhould reduce them to the ancient order, or give them the Evangelicall admonition. But the Fathers holding their peace, & the Emperors Ambaſſadors ſaying nothing, whoſe intereſt is common with thoſe of *France*, becauſe they ſit next unto them, & ſo preſerve the ancient poſſeſſion of their King, the French Ambaſſadors in regard of the amity and aliance between the Catholike and moſt Chriſtian Kings, demanded nothing but that the Fathers of the Councell would declare

His proteſtation about his place.

clare that the Count his fact could not prejudice the ancient prerogative and perpetuall poſſeſſion of his moſt Chriſtian Majeſty, and regiſter this in the Acts. 1563 PIVS 4 FERDINAND ELIZABETH. CHARLES 9 PHILIP 2

The Oration was made, in the name of the Count, by *Petrus Fontidonius*, a Divine; who ſaid in ſubſtance. That, the end of the Councell drawing neere, his Catholique Majeſty had ſent that Ambaſſadour, to ſhew himſelfe ready to doe for it that which *Martianus* the Emperour did in the Councell of *Chalcedon*, that is, to maintaine and defend the truth, declared by the Synode, to pacifie the tumults, and to conduct to an happy end that Councell which his Father, *Charles* the fifth, Emperour hath protected in its birth and growth, for the cauſe whereof he hath made moſt difficult and dangerous warres, and which his Uncle, the Emperour *Ferdinand* doth maintain, that his King hath omitted no office of a Catholike Prince, that it might be called and celebrated; that he hath ſent the Prelates of *Spaine*, and moſt learned Doctors beſides; that he hath preſerved Religion in *Spaine*; that he hath hindered the entrance of hereſie at all the paſſages of the *Pirenies*, nor ſuffered it to paſſe to the *Indies*, whither it hath laboured to penetrate, to infect the rootes of Chriſtianity, ſpringing in that new world; that, by meanes of that King, faith and purity of doctrine doth flouriſh in that Kingdome, ſo that the holy mother the Church, when ſhe ſeeth other Provinces infected with errors, taketh great conſolation, that *Spaine* is the holy anchor for refuge of all her calamities. He added, would to GOD that other Catholike Princes and Chriſtian Common-wealths would imitate the ſeverity of that King, in bridling the heretikes, that the Church might be delivered from ſo many miſeries, and the Fathers of *Trent* from the care of celebrating the Councell; that his King married with *Mary* Queen of *England*, for no other end, then to reduce that Iſland to the true religion. He repeated the late aſſiſtance ſent to the King of *France*, adding, that, by the vertue of his Souldiers, though but few, ſent for defence of religion, the victory inclined to the Catholike party. He ſaid the King deſired the eſtabliſhment of the doctrine of religion and the reformation of manners. He commended the Fathers, becauſe in the handling of theſe two, they would not ſeparate the one from the other, howſoever great inſtance was made to them to cauſe them to omit the doctrine, and proceed in the reformation only. He ſaid the Kings deſire was they ſhould examine well the petition, more pious then circumſpect, of thoſe, who ſay that ſome thing ought to be granted to the Proteſtants, that, being overcome with kindneſſe, they may returne to the boſome of the Church; ſaying, that they have to doe with perſons, who cannot be bowed neither with benefits nor with pity. He exhorted the Fathers, in the Kings name, to proceed in ſuch ſort, as to ſhew they have a greater care of the Majeſty of the Church, then of the deſires of thoſe that wander, and that the Church hath alwaies uſed this gravity and conſtancy in repreſſing the boldneſſe of her enemies, not to grant them ſo much as that which it honeſtly might. He ſaid, the King deſired that ſuperfluous queſtions might be omitted; and concluded, that the Fathers being aſſembled to doe ſo good a worke, as to cure the diſeaſes which afflict Chriſtendome, if this were not effected, poſterity would blame none but them, and wonder, that, being a- The Oration made in his name.

1563 ble, they would not alſo be willing to apply the remedy. He praiſed the vertues of the Ambaſſadour, and the glory of his houſe; and ſo ended. An-
1564 FERDINAND. ſwere was made, in the name of the Synod, that, in their griefe for the com-
ELIZABETH. CHARLES 9 PHILIP 2. mon miſeries, they received conſolation, hearing the piety of the Catholike K. related, and, above all, that his promiſe to defend the Decrees of the Councell was moſt acceptable; which the Emperour, and other Chriſtian Kings and Princes being willing to doe alſo, the Synod was ſtirred up to take care that her actions may be anſwerable to their deſires; as it hath done already, both by their owne inclination and by the exhortation of the Pope, alwaies imploying themſelves in the emendation of maners, & in the explication of the Catholike doctrine; that it gave the King many thanks, as for his ſingular affection towards religion, and good will towards the Synod, ſo for ſending ſuch an *Orato*, from whom they did hope for honour and aſſiſtance.

The anſwere

The Oration diſpleaſed all the Ambaſſadours, becauſe it was a manifeſt reprehenſion of all Princes, for not imitating the Catholike King; and they complained thereof to the Count, who anſwered, that thoſe words did as much diſpleaſe him, yea that he gave order to the Doctor to leave them out, and not to ſpeake them by any meanes, and that he would be ſenſible of his diſobedience. The French-men in *Rome* blamed much thoſe in *Trent*, for conſenting to the place given to the Spaniſh Ambaſſadour. They ſaid that *Loraine*, for his owne intereſts, and to gratifie the Catholike King had done this great prejudice to the Crowne of *France*, as alſo becauſe he had counſelled the Pope not to grant the King the alienation of 100000 crownes of Eccleſiaſticall goods, as he demanded. They added that in all things he aymed only at his owne intereſts, and therefore becauſe neither he, nor his brother, did manage the money, he did not care though the King ſhould receive none at all. But the difference for precedence was not as yet well ended. For howſoever there was a place found for the Spaniſh Ambaſſador in the Congregations, the ſame could not be given him in the Seſſions. Wherupon the Legates wrote to the Pope, to have order how to governe themſelves.

The French-men in *Rome* complaine of the Cardinall of *Loraine*.

After the Spaniſh Ambaſſador was received, *Lorain* parted to meet with the Card. of *Ferrara*; who, being arrived in *Piemont*, found the affaires of that Countrey in no better ſtate then thoſe in *France*. For in divers places of the *Marquiſate* of *Saluzzo* all the Prieſts were hunted away; and in *Cherie*, and *Cuni*, places belonging to the Duke of *Savoy*, and in many other Cities neere unto them, many were of the ſame opinions with the *Hugonts*, and many even in the Dukes Court alſo did profeſſe them, and more were diſcovered every day. And howſoever the Duke had ſet forth a Proclamation, a moneth before, that all that followed theſe opinions ſhould within eight daies part out of the Country, and ſome alſo were departed, yet afterwards he commanded that there ſhould be no proceeding againſt them, yea pardoned many condemned by the *Inquiſition*, and made their proceſſes void, as alſo of thoſe who were in the *Inquiſition*, & not condemned, and gave leave to ſome that were departed to returne. But the Cardinall, underſtanding the reaſons of the Duke, was forced to beleeve that which he was uſed to ſay of the affaires of *France*, that to doe ſo, would turne to the ſervice of the Church.

The ſtate of Religion in *Piemont*.

This

This Cardinall received inſtruction in the ſame place, from the Biſhop of *Vintimiglia*, who went expreſly to informe him (as hath been ſaid before) of the affaires of the Councell, and how to treate with *Loraine*. Both the Cardinals met in *Aſti* the foure and twentieth of May. *Ferrara* having related the ſtate of *France*, and of their family, ſince the death of the Duke of *Guiſe*, and of the *Prior*, exhorted him to a Sudden returne, ſhewing what neceſſity the family had of his preſence. He told him, that, ſince the peace was made with the *Hugonots*, the reformation would not produce thoſe good effects in *France* as was beleeved. But he found (which he could not have beleeved before) that he had a great impreſſion, that his honor did require that he ſhould abandon the negotiation. *Loraine* complained that *Morone*, turned from the Emperour, had acquainted him with no part of his buſineſſe, ſaying that hee had beene adviſed of all by his Majeſty. He ſaid that the Catholike King was well united with the Emperour, and that there was good intelligence betweene the Count of *Luna*, and him. In the matter of reſidence, he ſaid it was neceſſary it ſhould be declared, and that this was the opinion of the Emperour, and of almoſt all the Prelates, except ſome few Italians, and that the declaration was demanded, that the Pope might not diſpence; ſo that the labour of the Cardinall of *Ferrara* did little good. And the Cardinall of *Loraine* returning to *Trent*, did divulge, that the Cardinall of *Ferrara* had perſwaded him, in the name of the Pope and Legats, that the reſidence might be determined with a penall Decree, without declaring that it is *de jure divino*; whereunto he ſaid he would never aſſent.

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The Cardinals of *Loraine* and *Ferrara* meet in *Oſtia*.

But Cardinall *Morone* to pacifie *Loraine* before he entred ſeriouſly into the affaires of the Councell, knowing it was neceſſary to make ſhew of referring all matters unto him, went to viſite him, pontifically, with the Croſſe before, accompanied with many Prelates; and after complements told him that his deſire was he ſhould give counſell, and commaund, and proceede, as if hee were one of the Legats; that the Pope did deſire a reformation, and had ſent 42 Articles, very ſevere; and written, that thoſe which were mentioned by the Emperours and French Ambaſſadors, ſhould be propoſed alſo, leaving thoſe which belong to the Court of *Rome*, which his Holines will reforme himſelfe for the upholding of the authority of the Apoſtolique *Sea*. But *Loraine* ſuſpecting that *Morone* had a purpoſe to lay ſome bad matter upon him, and to make the *Spaniards* miſtruſt him, anſwered, that the weight of a Legat was too heavy for his ſtrength, who was not able to doe more then to give his voyce as an Arch-biſhop, that he commended the zeale of his Holineſſe to reforme other Churches, and deſired he would be content that the Biſhops ſhould give as many Articles alſo for the Cardinals and the reſidue of the Court, that the Apoſtolique *Sea* was worthy of all reverence, and reſpect, but the abuſes ought not to be covered with that cloake. The anſwere of this Cardinall made the Legates reſolve to proceede warily, untill matters were better in order. And, in the meane while, the Italian Prelates were ſecretly and ſeriouſly perſwaded not to conſent that the Decrees of reſidence *de jure divino*, might bee received.

And their conference was to no purpoſe.

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There fell out an accident which was ſufficient to confound and divide the Popiſh Prelates amongſt themſelves. For advice came to *Trent* that Cardinals ſhould be created the next Ember weeke, and a liſt of thoſe who were in *Rome* was ſent. The pretendants, who were many, were ill ſatisfied, and, as paſſionate men uſe to doe, did not containe themſelves within ſuch bounds, but rather their words did ſhew their affections, and that they were very ſenſible of it. In particular, *Marcus Antonius Columna*, Arch-biſhop of *Taranto*, and *Alexander Sforza* Biſhop of *Parma* (who, in regard of the great power of their families in Court, had more hope then others) were noted to have ſaid, that they would hold intelligence with *Loraine*; which *Simoneta* beleeving, did adviſe it to *Rome*: wherewith they were both much offended, and ſpake very feelingly of it. The diſtaſtes did continue certaine dayes: but no promotion of Cardinals being made, and ſatisfaction being given to theſe Biſhops, all things were finally well accommodated.

Loraine doth remit his rigor.

After this time *Loraine* beganne to remit his rigor. For *France*, being now, by obſervation of things paſt, aſſured, that nothing fit for the ſervice of that kingdome could poſſibly be obtained in *Trent*, and ſeeing alſo that the peace was accommodated with great facility, ſo that there was hope to reſtore abſolute obedience to the King, without medling with Religion, and perhaps being informed by the Emperour of the treaty with *Morone*, as alſo in regard of the perſwaſions which the Pope uſed to the Queen mother by his *Nuncio*, did reſolve not to labour any more, with ſuch affection, in matters of the Councell, but rather to gaine the good will of his Holineſſe; and if any good came from *Trent*, to receive it, and onely to take care that nothing ſhould be done to their prejudice. Therefore the Queen wrote to *Rome*, and offered the Pope to joyne with him to finiſh the Councell quickly, to curbe *Loraine*, and the French Prelates, that they may not impugne his authority, and to cauſe all the *Hugonot* Souldiers to depart from *Avignion*, and the territory thereof. She wrote likewiſe to the Cardinall of *Loraine*, that the affaires of *France* did proceed exceedingly well, and that to give them perfection, nothing wanted but his preſence, where being able to doe more good then in *Trent*, in which place he had found by experience that no profitable thing can be done, hee ſhould uſe meanes to quitte himſelfe of thoſe affaires, and returne aſſoone as was poſſible, ſeeking to give the Pope all ſatisfaction, and to make him his friend, and, for matters of the Councell, not to thinke on them, more then his conſcience and honour did compell him. Shee added, that he ſhould have the ſame authority in the Kingdome as hee had before; and therefore ſhould haſten his returne.

The Queene Mother writeth to the Pope and the Cardinall of *Loraine*.

The Queenes letters came to *Rome* and *Trent* in the end of May; which, as the were very gratefull to the Pope, and made him beleeve he ſhould ſee a good end of the Councel, ſo another accident did much diſpleaſe him. For, in *France*, conſultation being had how to pay the debts of the Crowne, the Decree, for aliening the value of one hundred thouſand Crownes of Eccleſiaſticall immoveable goods, was confirmed by the Kings Edict, and ſentence of the Paliament. This raiſed a great tumult of the Prieſts, who ſaid,

Eccleſiaſticall goods are alienated in *France* without the Popes leave.

their

their priviledges and immunities were violated, and that ſacred things could not be aliened for any cauſe whatſoever, without the authority and decree of the Pope. To pacifie which noiſe, the Ambaſſadour deſired his Holineſſe to give his conſent, alleadging, that the King was exhauſted by the laſt warres, deſigning to put his affaires in order, that he may beginne, as his purpoſe ever was ſince the making of the peace, to reunite all the kingdome in the Catholique religion; and, that he might be able to force whatſoever ſhould oppoſe, he meant to impoſe a ſubſidie, and to cauſe the Clergie to contribute their part alſo, whereunto the Church was ſo much more bound then others, by how much her intereſts were more in queſtion; that, all being conſidered, nothing was found to be more eaſie then to ſupply that neceſſity with the alienation of ſome few Eccleſiaſticall revenues; wherein he deſired the conſent of his Holineſſe. 1563 PIVS 4 FERDINAND ELIZABETH. CHARLES 9 PHILIP 2

The Pope anſwered, that the demand was painted forth with a faire pretence of defending the Church, but was the onely way to ruine it, for the avoiding whereof, his ſecureſt courſe was not to conſent to it. And howſoever ſome might thinke that the French would proceed to execution without him, yet he was of opinion that leave could not have beene demanded, in caſe they could have found buyers without it, thinking that none would dare to adventure their money, fearing (as the affaires of the world are uncertaine) a time might come in which the Eccleſiaſtiques would reſume their rents, and not reſtore their price. Therefore, having propoſed the buſineſſe in Conſiſtory, by the deliberation of the Cardinals, he reſolved not to conſent, but, by divers excuſes, to ſhew it was impoſſible to obtaine that demand at his hands. *Loraine*, bearing an irreconciliable hate to the *Hugonots*, not ſo much for religion as for faction, which himſelfe and his houſe had alwaies with them, being aſſured it was impoſſible to reconcile friendſhip, was much diſpleaſed that the matters of the peace did proceed. For his returne into *France*, he thought fit to conſider very well when and in what manner it ought to be; and, for his particular affaires, he thought it neceſſary to hold good intelligence with the Pope, and Court of *Rome*, and with the Miniſters of *Spaine* alſo, more then formerly he had done. Therefore he began from that day not to be ſo ſevere in procuring the reformation, and to ſhew greater reverence to the Pope, and to have good correſpondence with the Legats. Which maketh the Pope angry.

But beſides the trouble for the demand of the alienation, the Pope had another, of no leſſe weight. For, having often promiſed the French Ambaſſador to give him his due place at Whitſontide, and deſiring to performe it, he aſſembled ſome Cardinals to finde a meanes to give the Spaniſh Ambaſſadour ſatisfaction. The courſes were propoſed; one to give him place under the Deacon on the left hand; another, upon a ſtoole at the top of the Deacons bench. But theſe did not take away the difficulty. For there remained ſtill matter of concurrence in bearing the traine of his Holineſſe, and giving water for his hands, when he did celebrate the *Maſſe*, and in receiving *Incenſe* and the *Paxe*. The difficulty of the traine and water did not preſſe them then, becauſe the Pope was not to celebrate, and the Emperors Ambaſſadour was to be there. For the *Incenſe* and the *Paxe*, a temper was A great difference in *Rome* about precedence betweene the French and Spaniſh Ambaſſadours.

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found, that they ſhould be given to all on the right ſide, even to the Ambaſſadour of *Florence* alſo, who was the laſt, and then to thoſe on the left. The French was not content with this, and ſaid, that the Pope had promiſed him his place, and that the Spaniard either ſhould not come, or ſhould ſtand under him; and would depart from *Rome*, if this were not performed. And it pleaſed the Spaniſh Ambaſſadour as little: whereupon the Pope ſent him word that he was reſolute to give the French Ambaſſador his place. The Spaniard anſwered, that, if the Pope were reſolute to do him that grievance, he would reade a writing to him. The Cardinals, who treated with him in the Popes name, ſhewed him it was not good to doe ſo, before his Holineſſe had ſeen it, leſt, not being knowne before ſome inconvenience might ariſe. The Ambaſſadour was unwilling to give it, but, in the end, was content.

The Proteſtation of the Spaniſh Ambaſſadour.

Which the Pope having read, was very angry at the forme of words, which he ſaid were impertinent. Finally, he was brought into the Popes Chamber with foure witneſſes, where he read his Proteſtation, on his knees; which did containe. That the King of *Spaine* ought to precede the French King, in regard of the antiquity, power and greatneſſe of *Spaine*, and of the multitude of his other Kingdomes, by which he is the greateſt and moſt potent King of the world; becauſe the Catholike faith, and Church of *Rome*, have ever beene defended, and preſerved in his ſtates; that, if his Holineſſe will declare, or hath declared, in words or writing, in favour of *France*, the grievance and injuſtice was notorious. Therefore he, in the name of his King, doth contradict all declaration of precedence, or quality, in favour of *France*, as fruſtrate and void, againſt the notorious right of his Catholique Majeſty: and, if it hath beene made, there is a nullity in it, being done without knowledge of the cauſe, and citation of the party, and that his Holineſſe doing this, will be cauſe of great inconveniences in all Chriſtendome. The Pope anſwered admitting the Proteſtation, *Si*, and in *quantum*, excuſing himſelfe for the citation omitted, becauſe he gave nothing to the French-men, but preſerved the place in which he had ever ſeene them, next the Emperors Ambaſſadors; but offered notwithſtanding to commit the cauſe to the Colledge of Cardinals, or to the whole *Rota*, adding, that he loved the King and would doe him all the good offices he could. The Ambaſſador replyed, that his Holineſſe had deprived himſelfe of doing the King any good office, by giving him ſo great a grievance. The Pope anſwered againe, not for our cauſe, But for your owne, and for the benefits done by us to the King, theſe words were not worthy to be put into the Proteſtation made unto us.

Birague commeth to *Trent*.

The Preſident *Birague* arrived in *Trent* at the ſame time, whom (as we ſaid before) the French King had ſent to the Councell and the Emperour, who was received in Congregation the ſecond of June; where no Ambaſſadors

Is received in congregation.

inferiour to the French were preſent, that he might not give them place, becauſe he had not the title of Ambaſſadour in the Kings letters. He preſented the letters of the King, dated the fifteenth of April, which ſaid in ſubſtance. That the troubles and inteſtine warres, raiſed in the Kingdome, for cauſe of religion, were very well knowne, as alſo his labour, even with the ayde and aſſiſtance of Princes and Potentates his friends, to give a remedy

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by armes; that it pleaſed God, in his incomprehenſible Judgements, not to ſuffer thoſe remedies of armes to produce any thing but cruelties, ſlaughters, ſackings of cities, ruines of Churches, loſſe of Princes, Lords, Knights and other calamities and deſolations, ſo that it is eaſie to know that they were not fit to heale the infirmity of Spirits, which are overcome onely by reaſon, and perſwaſion; that this hath cauſed him to make a Pacification, according to the contents of his letters, diſpatched upon that occaſion; not to permit the eſtabliſhing of a new faith in the kingdome but that, armes being laid aſide, he might, with leſſe contradiction, make an union of all his Subjects in the ſame holy and Catholike religion; a benefit which he did expect from the mercy of God, and from a good and ſerious reformation, which he did promiſe himſelfe from the Synod. And becauſe he had many things to repreſent to them, and to deſire of them, he reſolved to ſend Monſieur *Renaut Birague*, who would informe them of all by word of mouth, praying them to receive and heare him without courteſie. 1563 PIUS 4. FERDINAND ELIZABETH. CHARLES. 9 PHILIP 2.

The letters being read, the Preſident ſpake, relating very particularly the diſcords, warres, and calamities of *France*, the State and neceſſity into which the King and kingdome were reduced, the impriſonment of the Conſtable, and death of the Duke of *Guiſe*, which made them to be as it were without armes. He juſtified the accord at large, as being made for pure and meere neceſſity and with more advantage to the Catholike party, then to the contrary. That the intention of the King and Councell was not to ſuffer an introduction, or an eſtabliſhment of a new religion, but, on the contrary, armes and diſobedience being removed, to reduce, with leſſe contradiction, and by the waies obſerved by his anceſtors, to the obedience of the Church thoſe that were out of their way, and to reunite all in an holy Catholique profeſſion, knowing very well that the exerciſe of two religions cannot long ſubſiſt and continue in one Kingdome. Then he ſaid that the King did hope to reunite quickly all his people in one opinion by the ſingular grace of GOD, and by meanes of the Councell, a remedy uſed alwaies by the ancients againſt ſuch evils as theſe were, which did then afflict Chriſtendome. He prayed the Fathers to further the Kings good intention, by a ſerious reformation, by reducing manners to the integrity and purity of the ancient Church, and by compoſing the differences in religion, promiſing that the King would alwaies be Catholike, and devoted to the Church of *Rome*, according to the example of his anceſtors. He ſaid, in concluſion, that the King did truſt in the goodneſſe and wiſedome of the Fathers, that they would compaſſionate the miſeries of *France*, and labour to cure them. The Preſident had commiſſion to demand, that the Councell might be tranſlated to a place where the Proteſtants might have free ſucceſſe. For, notwithſtanding all the ſecurity given by the Pope and the Councell, they held *Trent* ſuſpected, and deſired a place where the Emperour might ſecure them. But he touched not this point, by the advice of *Loraine* and the French Ambaſſadours, who thought it not fit to make mention thereof, and held it as revoked, conſidering the letters written to the Pope and to *Loraine*, of which mention hath beene made. And maketh an Oration.

Order was given before upon conſultation of the Legates, that the *Speaker*

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ker should answer *Birague* in the name of the Synod, condoling the misfortunes and calamities of the Kingdome of *France*, and exhorting the King, that having beene forced to make peace, and to grant something to the *Hugonots*, to restore religion intirely, he would, for the service of GOD, when the Kingdome was in peace, labour without any delay, that this good end might be obtained. And they shewed this answer to *Loraine* after the *Masse*, before they entred into the Congregation. Who said, he did not like they should approve the Kings fact, whereof they should rather complaine, as prejudiciall to the faith; and therefore that it was better to take time to answere, as the use is in matters of importance. Whereupon they gave order that *Birague* should be answered thus in substance. That in regard the things related and proposed by him were of great weight, and had need of much consideration, the Synod would take a fit time to answere him. The French Ambassadors were much displeased with this fact of *Loraine*, thinking that, if the Legats had not beene disposed to commend the Kings actions, he ought to have incited them, yea to force them as much as he could, whereas on the contrary, they judging a commendation of the fact to bee just and reasonable, as indeed it was, he had disswaded them. But consulting amongst themselves, they resolved not to write thereof into *France*, for many respects; and *Lansac* being to returne shortly, might make that relation which should be thought necessary.

A tumult in *Bavaria* for the Cup and marriage of Priests.

The month before there hapned a great tumult and popular commotion in *Bavaria*, because the Cup was not allowed, nor maried men suffered to preach; which disorder proceeded so farre, that, to appease them, the Duke promised in the Diet, that, if in all June a resolution were not made in *Trent*, or by the Pope, to give them satisfaction, himselfe would grant both the one and the other. This newes comming to the Councell, made the Legats dispatch in diligence *Nicolaus Ormonetus*, to perswade that Prince not to make such a grant, promising that the Councell would not be wanting to his necessities. To whom the Duke answered, that, to shew his obedience and devotion to the Apostolike *Sea*, he would use all meanes to entertaine his people as long as he could, expecting and hoping that the Councell would resolve that which they saw to be necessary, notwithstanding the determination made before.

The Bishop of *Nimes* speaketh against the *Annats*.

But the Congregations proceeding and handling the Conciliary matters, in one of them the Bishop of *Nimes*, speaking of the abuses of *Order*, discoursed of *Annates*. He said, that howsoever it could not be denied that all Churches ought to contribute to the Pope for maintenance of his Court, yet he could not commend that payment, as well for the manner, as the quantity; because it would be enough if the twentieth part were paid, whereas this is perhaps more then the tenth; and for the manner, that no man ought to be forced to pay them, but after the yeer was ended. And seeing that the Court of *Rome* must be maintained by the contributions of all Churches, it is just that they should receive some profit thence, whereas many, and almost all the abuses of Christendome doe arise, by meanes of the Officers thereof; of which the Synod ought to advertise his Holinesse, that he might make provision therein. He descended to speake in particular of the ordinations of

Priests

Prieſts made at *Rome*; ſaying that the Canons and decrees are not obſerved in them, and that it would be neceſſary to decree, that in caſe the Prieſts ordained in *Rome* were not ſufficient, the Biſhops (notwithſtanding the ordination) might ſuſpend them, and that the ſuſpended might not, by way of appellation or other recourſe, hinder the determination of the Prelate. The laſt that ſpake in that Congregation, was the Biſhop of *Oſmo*; who ſaid, that as the abuſes of *Order* are collected, ſo it were good to handle penances, and Indulgences alſo, becauſe all thoſe three matters are of affinity, and goe hand in hand. 1563 PIUS 4. FERD. NAND ELIZABETH. CHARLES. 9 PHILIP 2.

In another Congregation the Biſhop of *Guadice* ſpake very long; and amongſt other things, made, as it were, an invective againſt the ordination of titular Biſhops, upon occaſion of ſpeaking on the fourth Article of the abuſes, in which he ſaid, that to redreſſe the great ſcandals which doe ariſe by meanes of ſuch Biſhops, there ſhould be no more created without urgent neceſſity, and in that caſe, before they were ordained, the Pope ſhould make proviſion that they might live according to the dignity of a Biſhop. He ſaid, that to the dignity of a Biſhop is annexed the having of a place and a Dioceſſe, and the Biſhop and Church are relatiues, as man and wife, of which one cannot be without the other; and therefore it did imploy a contradiction, to ſay, that titular Biſhops were lawfull. He ſaid their ordination was an invention of the Court, and uſed theſe words, *Figmenta humana*; that there is no mention of them in antiquity; that if any Biſhop were deprived, or did renounce, he was not held to be a Biſhop, as he is not an husband who wanteth a wife, that the old Canoniſts doe write, that there is a nullity in the ordinations made by him who hath renounced his Biſhoprick; that the Simonies and indecences which doe ariſe by meanes of theſe Biſhops, and the other corruptions of diſcipline, are nothing in compariſon of this abuſe of giving the name of Biſhops to thoſe who are not, and to alter the Inſtitution of CHRIST, and the Apoſtles. The Biſhop of *Guadice* ſpaketh againſt titular Biſhops.

Simon de' Negri, Biſhop of *Sarzana*, entring into the ſame matter, ſaid, that in a Biſhop are to be conſidered *Order*, and Juriſdiction; in reſpect of *Order* he hath nothing, but that he is miniſter of the Sacraments of *Order* and *Confirmation*, and, by Eccleſiaſticall conſtitution, hath authority of many conſecrations and benedictions, which are forbid to ſimple Prieſts. But in reſpect of juriſdiction, he hath authority of governement in the Church, whereas titular Biſhops have the power of *Order* only, without juriſdiction; and therefore it is neceſſary that they ſhould have a Church. And if a Biſhop was not conſecrated in former times, except he had a Church given him, this was becauſe no Deacons or Prieſts are conſecrated without a title. Afterwards, it appearing that more ſervice was done to God, and to the greatneſſe of the Church having Prieſts without title, the ſame ought to be concluded of Biſhops; yet ſo, as that, to avoid abuſes, it was convenient not to ordain any, without giving them whereon to live, that they may not be forced to indignities; but otherwiſe it is neceſſary they ſhould be created to ſupply the places of unable Biſhops, or of thoſe who have a lawfull cauſe to be abſent from their Churches, or of great Prelates, imployed in greater affaires, and therefore he did approve the Article as it was unfolded. Who are defended by the Biſhop of Sarzana.

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The Biſhop of *Lugo* diſcourſed of diſpenſations, ſaying, that there were many matters, concerning which if the Synod would make decrees, declaring them to be indiſpenſable, it would be a great ſervice to God, and benefit to the Church. Which he did not ſay, becauſe the Synode might give a Law to his Holineſſe, but becauſe they are things in which diſpenſations of Popes cannot be admitted; and if in a rare caſe, in a whole age, a reaſonable cauſe to diſpenſe, might happen once, yet the diſpenſation would not be juſt in that caſe neither. For it is convenient that a private perſon ſhould ſupport ſome grievance, when there is a great publike benefit, as alſo, where many caſes deſerving diſpenſations may occurre, to take away occaſions of obtaining ſurreptions, ſupplications, and graces, it is better to be avaritious then liberall.

Of diſpenſations.

One of the difficulties of the Councell, which was about Biſhop *Tileſius*, the Secretary, in regard of whom frequent inſtance was made, that the Acts of the Councell might be written by two, did ceaſe of it ſelfe. For he, not able to ſupport the paine of the ſtone any longer, reſolved to be cut. After he was retired, that charge was given to the Biſhop of *Campania*, whoſe firſt action was in the Congregation of the ſeventh of June, to reade the anſwer which the Legats had made, to give to the Preſident *Birague*; which, being long and propoſed on the ſudden, not aſſiſted in voyce by any of the Legats, and very ambiguous, with words which might be drawne to the commendation or the diſpraiſe of the accord made by the King, was not underſtood by all in the ſame ſence; whereupon there were divers opinions amongſt the Prelats. The Cardinall of *Loraine* firſt ſpake at large of it, and was not underſtood whether he did approove or not. The Cardinall of *Varmia*, urged to it by *Morone*, deſired him, after he had made an end, to declare, plainely what he thought; and he anſwered that it did not pleaſe him: to the great diſtaſte of *Morone*, who had ſhewed it to him before, and he ſeemed to be content. *Madruccio*, who followed, referred himſelfe to the Fathers; of the others ſome did approove it, and ſome not. The French Prelats complained, that, againſt the orders obſerved in the Synod in like occaſions, the anſwer was deferred and diſputed. The Biſhop, Ambaſſador of the Duke of *Savoy*, when it was his turne to ſpeake, ſaid, that the matter ought to be referred abſolutely to the Legats, and the two Cardinals. When all the voyces were delivered, the Archbiſhop of *Lanciano* ſtood up, and ſaid, that howſoever he had concluded otherwiſe in his ſuffrage; yet having heard the Ambaſſadour, he was of his opinion, and the ſame was approoved almoſt by the voyce of all together.

The anſwere to *Birague*.

The eleventh of June a conſultation was held by the Legates, Cardinals, and twenty Prelates, to finde a meanes to eſtabliſh the doctrine of the Inſtitution of Biſhops, *Loraine*, in delivering his minde, touched the opinion of the French-men, that the Councell is above the Pope, alleadging alſo, that it was ſo defined in the Councels of *Conſtance* and *Baſil*. He concluded that he did not deſire another declaration from that Councell, but ſaid, that if they would be of accord with the French men, it was neceſſary that no words ſhould be put in the Decrees, which were to be compoſed, which might prejudice that their opinion. The Archbiſhop of *Otranto*, comming to ſpeake, enlarged

enlarged himſelfe with many words to convince that Cardinall, reſuming and refuting whatſoever he had ſaid in favour of the ſuperiority of the Councell. He added, that ſome held opinion of the ſuperiority of the Councell to be as true as *Verbum caro factum eſt*, ſaying he knew not how they could ſecure themſelves in their conſcience; wherein he meant *Loraine*, who was ſaid to have uſed this compariſon. And, deſcending afterwards to diſcourſe of the Inſtitution of Biſhops, he ſaid there had beene no controverſie in this matter, if the forme propoſed by the Cardinall of *Loraine* had not given occaſion. The Cardinall anſwered, that, at his comming to *Trent*, he found the difficulties already mooved; that he had compoſed that forme, being requeſted, with intention to make peace and concord, and to remedy the differences; that this not ſucceeding, he would be glad that the Archbiſhop might obtaine that honor which himſelfe could not doe; thanking him beſides, that, as his maſter, he had put him in minde of that wherein he had failed. And, for the queſtion of the ſuperiority of the Councell, he ſaid, that being borne in *France*, where this opinion is common, neither he nor the other French-men could leave it, and did not beleeve, that, for holding it, they ſhould be forced to make a Canonicall abjuration. The Archbiſhop replyed, that he diſliked the forme, becauſe it was imperfect, whence the difficulties did ariſe; but, for the reſt, it was not a place to anſwere him, and that he did little eſteeme the injuries he did him. But he complained of ſome who did profeſſe to accuſe the actions of the Legats, wherein they did not ſhew a good minde. The Cardinall was ſilent, and made no ſhew he was offended. The Count of *Luna*, whether of his owne accord, or at the inſtance of the French-men, reprehended the Archbiſhop, ſaying, that if it came to the eares of his Catholike Majeſty, it would certainely diſpleaſe him. And a French Prelate, either by order from *Loraine*, or of himſelfe, did advertiſe *Morone*, that the Arch-biſhop did much paſſe his bounds; that he uſed bad ſpeeches, in handling the matter of Reſidence; and that the Cardinall was adviſed, that he was continually abuſed in his houſe, and that the moſt honorable title he gave him, was, *a man full of poyſon*; ſo that, in regard of theſe things, and of this laſt accident alſo, it would not be good to call them both together to conſultation, becauſe the Cardinall would not reſt ſatisfied. *Morone* anſwered preciſely, that he had order from *Rome* to call that Arch-biſhop to all conſultations, and that it was convenient to hold eſteeme of him, becauſe he had at the leaſt fourty voyces which did follow him. This, being related to *Loraine*, did make him exceeding angry againſt Cardinall *Morone*; and the rather, becauſe a few daies before the Legats and Cardinals conſulting together about the anſwer to be given to *Birague*, referred to them by the Congregation, *Morone* did upbraid him, that he was content with the anſwer firſt made, afterwards ſaid the contrary to the generall Congregation. And *Loraine* conſidered very much with himſelfe, in what manner he might ſhew himſelfe ſenſible of the ſmall account was made of him, eſpecially being adviſed from *Rome*, that the Pope did accuſe him for a man ſcandalous, and deſired to unite the Catholiques and Proteſtants. But weighing his owne intereſts, which did moove him not to ſeparate himſelfe from *Rome*, but rather to ſeeke meanes to be reuni-

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A conteſtation betweene the Archbiſhop of *Otranto*, and the Cardinall of *Loraine*.

The Archbiſhop of *Otranto* had 40. voyces at his command.

ted,

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ted, his profit overcame his paſſion, and ſo he reſolved to continue in promoting the concluſion of the Councell, and giving the Pope ſatisfaction.

Birague parteth from *Trent* without his anſwere.

But the Preſident *Birague*, having expected an anſwere as long as he thought his honour would permit, the thirteenth day parted from *Trent*, to goe to *Iſpruc*, to negotiate the other part of his inſtructions with the Emperour; which was to give him joy of the election of the King of the *Romans*, and an account for what cauſes the Peace was concluded with the *Hugonots*, and to anſwer him concerning the reſtitution of *Metz*, and of other Imperiall Cities.

His negotiation with the Emperor.

He had inſtruction alſo, that, joyntly with the King of *Spaine*, they ſhould uſe perſwaſions for the tranſlation of the Councell into *Germany*. This particular being imparted to *Loraine*, to receive advice from him in what manner to proceed in it, or whether he ſhould omit it, as he had done in *Trent*, the Cardinall reſolved for the ſame reaſons, that he ſhould make mention of it, as of a thing rather to be deſired, then hoped for, or attempted.

The Spaniſh Ambaſſadour maketh inſtance that the Decree, *Proponentibus Legatis*, may be abrogated.

The Count of *Luna* had expreſſe order in his inſtructions, to demand a retraction of the Decree *Proponentibus Legatis*; and after his arrivall in *Trent*, he received a letter from the King, which told him, that he was deſired by the French Queen, that the Councell might be tranſlated into *Germany*, that it might be in a free place, and that he had anſwered, that he did not thinke it neceſſary, in regard there was meanes to procure the liberty of it in the place where it was; therefore he gave him commiſſion to labour, that it might have full liberty, beginning from the revocation of that Decree; becauſe, that continuing, the Councell could by no meanes be called free. The Ambaſſadour, thinking he could not deferre any longer, imparted this commiſſion to the Legates, and, in conformity thereof, made effectuall inſtance in the Kings name, that the Decree might be abrogated, or expounded, ſaying, it was convenient ſo to doe, becauſe the *Germanes* did forbeare to come to the Councell for this cauſe amongſt others, and becauſe the Emperour did thinke it neceſſary, that he might be able to induce them to receive the Councell. They anſwered that the Decree was made by common conſent of all the Fathers; notwithſtanding, they would conſider on it, and reſolve that which ſhould ſeeme juſt, after he had preſented the inſtance in writing. The Ambaſſadour gave it, and the Legates ſent it to the Pope: howſoever *Morone* ſaid, it was ſuperfluous, and that nothing was to be done but to delay the anſwere, without troubling his Holineſſe. In the negotiation of Princes, eſpecially thoſe which doe not touch the ſubſtance of their State, it happeneth, that howſoever they doe change opinion by the change of occurrences, yet by the perſwaſions made before the change, things contrary to their new will doe fall out. And ſo it was that the perſwaſions made by the Queene mother to the King of *Spaine*, before ſhe reſolved to give totall ſatisfaction to the Pope concerning the Councell, did produce the effect of that Letter of the King. Therefore *Morone*, who did penetrate the bottome, did not hold that eſteeme of it as ſome thought.

The fifteenth of June *Morone* propoſed in Congregation, that the fifteenth of July might be appointed for the determinate day of the Seſſion. *Segovia*, and ſome few others ſaid, they ſaw not how the difficulties which were upó their

their hands could be resolved in so short a time, of *Hierarchie*, of *Order*, of the institution of Bishops, of the preheminence of the Pope, and of Residence; and that it was better to decide the difficulties first, and afterwards to appoint a short terme for the day of the Session, then to appoint it now, and afterwards to prolong it with indignity. But the contradictors being but few, the proposition was established, as it were without difficulty. 1563 PIVS 4. FERDINAND ELIZABETH. CHARLES 9 PHILIP 2

The suffrage of *Laynez*.

The next day *Laynez*, Generall of the *Jesuites*, in giving his suffrage, bent all his forces to answer whatsoever had beene said by others, not conformable to the doctrine of the Court, with so great affection, as if his salvation had been in question. In the matter of dispensations he was exceeding copious; saying it was spoken without reason that there is no other power of dispensing but interpretative and declarative; for so the authority of a good Doctor would be greater then of a great Prelate; and that to say the Pope cannot by dispensation, disoblige him who is obliged before God, is nothing but to teach men to preferre their owne conscience before the authority of the Church; which conscience, becaus it may be erronious, as it is for the most part, to referre men to that, is nothing but to cast every Christian into a bottomlesse pit of dangers; that as it cannot be denied, that CHRIST had power to dispence in every law, nor that the Pope is his Vicar, nor that there is the same tribunall and consistory of the principall and the Vice-gerent, so it must be confessed that the Pope hath the same authority; that this is the ptiviledge of the Church of *Rome*, and that every one ought to take heed, in regard it is heresie to take away the priviledges of the Church, because it is nothing but to deny the authority which CHRIST hath given it. Then he spake of reforming the Court; and said, that it is superiour to all particular Churches, yea to many joyned together; and if it doth belong to the Court of *Rome* to reforme each Church, which doth appertaine to every Bishop in Councell, and none of them can reforme the Romane, because the scholar is not above his master, nor the servant above his Lord, it followeth, by necessary consequence, that the Councell hath none authority to meddle in that businesse; that many did call those things abuses, which, if they were examined and sounded to the bottome, would be found to be either necessary, or profitable; that some would make the *Sea* of *Rome*, as it was in the time of the Apostles, and of the Primitive Church, without distinguishing the times, not knowing what doth belong to those, and what to these; that it is a plaine case, that, by the providence and goodnes of GOD, the Church is made rich, and that nothing is more impertinent then to say that God hath given riches, and not the use. For *Annates* he said, that it is *de jure divino* that Tythes and first Fruits should be paid to the Clergie, as the *Jewes* did to the *Levites*: and as the *Levites* paid the Tenthes unto the high Priest, so ought the Ecclesiasticall order to the Pope, the rents of Benefices being the Tythes, and the Annates the Tythes of the Tythes. This discourse pleased many, and particularly the French-men; and there were Prelates who noted some things which they meant to answere, if occasion served, when their turne was to speake.

Favours done unto him.

The Spaniards and French-men thought, that that Father spake thus, by order, or by consent of the Legates, alleadging for an Argument the many

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favours which were done unto him, upon all occaſions, and eſpecially, becauſe, whereas the Generals were wont to ſtand on their feet, and in their place when they gave their voyce, *Laynez* was called into the middle, and made to ſit down, and many times a Congregation was made for him only, to give him commodity to ſpeake what he would; and howſoever none was ever halfe ſo prolixe as he, yet he was praiſed, and thoſe againſt whom he ſpake could never be ſo briefe, but they were reprehended for being too long. But *Laynez*, knowing what offence the French men did pretend to have received, ſent his companions, *Torre* and *Cavillone*, to make an excuſe to *Loraine*, ſaying, that his redargutions were not meant of his *Excellency*, or any of the French Prelates, but of the Divines of the *Sorbone*, whoſe opinions are not conformeable to the Doctrine of the Church. This being related to the Cardinall, in a Congregation of French men, held in his houſe, the excuſe did much diſtaſte the Prelates, ſome ſaying it was petulant, and others ſcornefull, and thoſe few Divines which remained were ſenſible of it; ſo that *Hugonius* himſelfe, whom they had bought, did thinke it unſufferable. *Verdun* thought he was touched in particular, and obliged to reply, and prayed the Cardinall to give him leave, and occaſion. He promiſed to ſpeake modeſtly, and to ſhew that the doctrine of the *Sorbone* was Orthodoxe, and that of the *Jeſuite* new, and never heard of in the Church before, that is, that the key of authority is given by Christ, without the key of knowledge; that the holy Ghoſt, given for the governement of the Church, is called, by the holy Scripture the ſpirit of truth, and the operation thereof in the governours of the Church, and Miniſters of Christ, is to leade them into all truth, that, for this cauſe, Christ hath made his Miniſters partakers of his authority, becauſe he hath withall imparted to them the light of doctrine; that Saint *Paul* to *Timothy*, writing that he is conſtituted an Apoſtle, doth expound it thus, that is, a Doctor of the *Gentiles*: who, in two places, preſcribing the conditions of a Biſhop, ſaith, he muſt be a Doctor; that, obſerving the uſe of the Primitive Church, it will appeare, that the faithfull did go to Biſhops for diſpenſations, and declarations, becauſe thoſe onely were aſſumed to that charge who were moſt of all inſtructed in Chriſtian doctrine; that, to omit antiquity, the Schoolmen and greater part of the Canoniſts have conſtantly ſaid, that the diſpenſations of Prelats are good, *Clave non errante*, and not otherwiſe. *Hugonius* alſo did offer to proove that aſſertion, *that there is the ſame tribunall of* Christ *and of the Pope*, to be impious and ſcandalous, making mortality equall to immortality, and corruptible judgement of man, to the incorruptible judgement of God, and that it did proceed from ignorance; that the Pope is that ſervant, which is ſet over the family of Christ, not to performe the office of the Maſter of the family, but onely to diſtribute to every one, not arbitrarily, but that which is ordained by the Maſter, that he was amazed that Chriſtian eares could endure to heare that the whole power of Christ is imparted to any. They all ſpake, ſome cenſuring one, ſome another of the *Jeſuites* aſſertion. But the Cardinall told them that it would be no ſmall matter if they could obtaine that, in the publike Decrees of the Councell, way might not be given to that doctrine; at which

His excuſe.

Giveth diſtaſte to the French-men.

which it was convenient that all ſhould ayme; to which end they ſhould more eaſily come, if the matter were paſſed over in ſilence, and ſuffered to dye in oblivion, which, by contradiction, might doe ſome prejudice to the truth. They were pacified; yet not ſo, but that, in their private meetings, they ſpake of it very much. 1563 PIVS 4 FERDINAND ELIZABETH. CHARLES 9 PHILIP 2

But the Legates did ſo accommodate the two Articles of the Inſtitution of Biſhops, and of Reſidence, with generall tearmes, that they gave ſatisfaction to both parties, and to *Loraine* alſo. But having conſulted on them with the Popiſh Divines, and ſome Canoniſts, Prelates, theſe ſaid, that they did admitte an interpretation, prejudiciall to the authority of the Apoſtolique *Sea*, and the uſes of the Court. The Biſhop of *Nicaſtro*, who had often contended in this matter in favour of *Rome*, ſaid plainely, that, by that forme of ſpeech, it was inferred that all juriſdiction of Biſhops did not proceede from the Pope, but a part of it immediately from CHRIST; which was by no meanes to be indured. Other Papalins maintained the ſame, and made a bad interpretation of all, if it were not plainely ſaid, that Biſhops have all juriſdiction from the Pope. Therefore the Legates ſent the Articles thus reformed to the Pope, not ſo much that they might be examined in *Rome*, as becauſe, in a matter of ſo great importance, they would propoſe nothing without the Popes knowledge. The Cardinals deputed for theſe affaires, having ſeene and examined them, did judge that the forme was ſufficient to make all Biſhops in their Dioceſſes equall to the Popes. And the Pope reprehended the Legats for ſending them, becauſe he knew that the *major* part in the Councell were good Catholikes, and devoted to the Church of *Rome*, and in confidence hereof, was content that the propoſitions and reſolutions ſhould be determined in *Trent* without his knowledge. Notwithſtanding he thought he ought not to conſent to any prejudiciall thing, for feare of giving bad example to them, and being a cauſe that they alſo ſhould aſſent unto it againſt their conſcience. The Decrees of the inſtitution & of Reſidence.

At this time they had another very hard negotiation alſo. For the King of the Romanes being to ſend Ambaſſadours, to give him an account of his election, would not do as other Emperours and Kings had done, who, having no cauſe to make difficulty, did promiſe and ſweare whatſoever the Popes would have them. But he having reſpect not to offend the Princes and Proteſtants in *Germany*, would firſt know what words muſt be uſed. The conſultation hereof being committed to the Cardinals, they reſolved, that he muſt demand confirmation of the election, and ſweare obedience, according to the example of all other Emperours. Whereunto he anſwered that they were deceived, and that he would conſent to nothing which might prejudice his ſucceſſors, as the actions of his predeceſſors were alleadged againſt himſelfe, and that it was to confeſſe he was *Vaſſall*. And he propoſed that his Ambaſſadour ſhould uſe theſe words; that his Majeſty will performe all reverence, devotion and duty to his Holineſſe and the Apoſtolike *Sea*, with promiſe not only to preſerve, but to enlarge as much as he can the holy Catholique faith. This negotiation continued this whole yeere without agreement; and, finally, in *Rome* they thought they had A difficulty whether the King of the Romanes ought to promiſe obedience to the Pope.

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found a temper for it, propoſing that he ſhould ſweare obedience not as Emperour, but as King of *Hungary* and *Bohemia*, becauſe it could not be denyed, they ſaid, that King *Stephen* did give the Kingdome to the Apoſtolike *Sea*, in the yeer of our Lord 1000, acknowledging to receive it from the ſaid *Sea*, and making himſelfe vaſſall; and that *Vladiſlaus*, Duke of *Bohemia*, did receive from *Alexander* the ſecond power to weare a miter, binding himſelfe to pay an hundred markes of ſilver every yeere. Theſe things being conſidered of in *Germany*, becauſe there was no proofe of them but the bare affirmation of *Gregory* the ſeventh, were derided, and anſwere was made, that they deſired more freſh examples, and more certaine, and more lawfull titles. Meſſengers went to and fro, with divers propoſitions, anſweres, and replyes, of which we will now relate the iſſue, that we may returne no more to them: Which was; that, twenty moneths after, Count *Elſtain*, Ambaſſadour of that King, arrived in *Rome*, with whom the ſame treaties were renewed, to demand confirmation, and ſweare obedience. He anſwered that the Oration which he was to recite punctually, was in writing, and that he had commiſſion not to alter one jote. The Pope therefore propoſed the buſineſſe to the Cardinals, in a generall Congregation; who after long conſultation, concluded, that, howſoever the confirmation were not demanded, nor obedience promiſed, yet, in the anſwere to the Ambaſſadour, it ſhould be ſaid, that his Holineſſe did confirme the election, ſupplying all defects thereof *de facto & de jure*, and did receive the Kings obedience, without ſaying it was demanded, or not demanded, promiſed or not promiſed. This Ceremony gave but ſmall content to the Pope, and leſſe to the Colledge of Cardinals.

But to returne to the time whereof I write, the Pope was to anſwere the frequent inſtances, made unto him by the Ambaſſadours, reſident in *Rome*, and by the Count of *Luna* in *Trent*, for abrogation of the Decree of *Proponentibus Legatis*. And being ſatiated with this trouble, hee wrote to the Legates, that the ſuſpenſion of it ſhould bee propoſed in Congregation. But *Morone* anſwered the Ambaſſadours, who urged the Popes order, that rather then he would condeſcend unto it, hee deſired that his Holineſſe would remoove him. This anſwere being given without participation of the other Legates, and many other things reſolved by him alone, put them in a jealouſie, that hee tooke too much upon him; ſaying, that howſoever he might have inſtructions apart, yet he ought not to execute them without adviſing them firſt, and communicating all unto them, at leaſt in the execution.

Morone is thought to take too much upon him by the other Legates.

In the Congregation of the one and twentieth of June, the anſwere to be made to the Preſident *Birague*, compoſed by the Legates and Cardinall of *Loraine*, was read; which paſſed without difficulty. And becauſe he was not preſent, that it might not be given him by word of mouth, they ſent it after him in writing. And *Adamus Fumanus* was deputed Secretary, joyned with *Tileſius*, who continued in his indiſpoſition. But the differences about the Articles of the inſtitution of Biſhops, and of the authority of the Pope remayning ſtill, or rather increaſing, and it being plaine, that to ſpeake of them in Congregation, would augment them more, the Prelates, as it were, with

with a common conſent, began to handle them particularly, and to propoſe courſes to finde a temper for them. Some, deſirous to bury theſe controverſies, and to proceed, ſeeing no meanes of concord, gave counſell to omit both the matters abſolutely: which opinion, howſoever in concluſion it was received, in the beginning had much contradiction. The Spaniards did oppoſe; who, by all meanes would have the Epiſcopall juriſdiction to proceed from CHRIST; and the Cardinall of *Loraine* went further, and, would have it defined, that their vocation and place were immediatly from God. And the French-men did deſire, that the Popes authority might be ſo declared as that it might neither contradict, nor diſpenſe with the Decrees of the Generall Councell. Others ſaid that this courſe ſerved only to defer, without aſſurance that the delay would doe any good. For when they came to the concluſion of the Councel, it would be neceſſary to define all matters which have been examined; ſo that the difficulty would returne; and, in caſe the French-men ſhould depart firſt, as they reſolved to doe, there would be danger of ſchiſme, if afterwards any controverſed point ſhould be handled. Beſides, in regard of the intelligence of *Loraine* with the Emperour, thoſe who knew not their new thoughts, did beleeve, that the French-men being gone, his Majeſty would recall his Ambaſſadours alſo: in which caſe it would be ſmall reputation to continue the Councell, and, to determine any thing, would be thought to be a thing done without any authority. 1563 PIVS 4 FERDINAND ELIZABETH. CHARLES 9 PHILIP 2

Another difficulty as great as this was in the election of Biſhops. For many of the Fathers would have it ſaid, that there is an obligation to elect the moſt worthy, and, for confirmation, alleadged many Canons, and holy Doctors. The Papalins ſaid, on the contrary, that this was to binde the authority of the Pope, that he could not gratifie any, and that the uſe of the Court, time out of minde, hath been, to thinke it ſufficient if a man worthy were elected. The French and Spaniſh Ambaſſadours alſo did not agree, becauſe it did too much reſtrain the power of Kings in nominations, if they were bound to goe about to ſeeke the moſt worthy. Many Prelates went up and downe, uſing perſwaſions, that the Article might not be received, though it were without the addition of electing the moſt worthy, and eſpecially the Biſhop of *Bertinoro*, and the Generall *Laynez*, diſtributing ſome annotations, and advertiſements, made by them, ſhewing that great inconveniences would enſue by that Decree. For in it was contained, that a Cathedrall being vacant, the Metropolitane ſhould write unto the Chapter, the name of him who was to be promoted, who ſhould afterwards be publiſhed in pulpit in all the Pariſh Churches of the City on Sunday, and hanged on the doore of the Church, and afterwards the Metropolitane ſhould go to the City vacant, and examine witneſſes concerning the qualities of the perſon; and all his letters patents and teſtifications being read in the Chapter, every one ſhould be heard who would oppoſe any thing againſt his perſon; of all which an inſtrument ſhould be made, and ſent to the Pope, to be read in Conſiſtory. This conſtitution they ſaid would be a cauſe of calumnies and ſeditions, and that hereby ſome authority was given to the people, with which they would uſurpe the election of Biſhops, which formerly they were wont to have. Others being ſtirred up herewith, made the ſame

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oppoſitions againſt the Article, concerning thoſe who are to be promoted to the greater orders; in which it was ſaid, that their names ought to be publiſhed to the people three Sundayes, and affixed to the doores of the Church, and that their letters teſtimoniall ought to be ſubſcribed by foure Prieſts, and foure Laiques of the Pariſh; alleadging, that no authority ought to be given to the Laity in theſe affaires, which are purely Eccleſiaſticall. In theſe perplexities the Legates knew not what to doe, but to enjoy the benefit of time, and to expect ſome overture, to come to the end of the Councell, to which they ſaw not how they ſhould be able to arrive.

The reformation of Cardinals,

Another trouble beganne about the reformation of Cardinals. And the Pope underſtanding that this was ſpoken of in all Courts, and that in *Trent*, the Ambaſſadours of *France*, *Spaine*, and *Portugall*, were combined to demand it of the Councell, he wrote to the Legats for advice, to know whether it were better to handle it at *Rome*, or in *Trent*. He propoſed the ſame in Conſiſtory, ordaining alſo a Congregation to conſult on it, and, particularly, to finde a meanes that Princes might not intermeddle in the *Conclave*, in the election of the Pope. And, to proceed with all circumſpection in a buſineſſe of ſo great weight, he ſent many Articles of reformation to *Trent*, drawne out of the Councels, with order that the Legats ſhould impart them to the principall Prelats, and ſignifie their opinions. The Cardinals of *Loraine*, and *Madruccio*, anſwered, they would not deliver their own opinions, before they underſtood the Popes minde, and afterwards it would be neceſſary to thinke very much on it. And *Loraine* ſaid, that there are many things which are thought worthy of correction, which himſelfe did thinke could not juſtly be reprehended, and others which might in part, but not abſolutely. He deſcended to the particular of having Biſhoprickes, ſaying, there was no inconvenience that a Cardinall Prieſt ſhould have a Biſhopricke, but did not like that a Cardinall Deacon ſhould be a Biſhop; and that, for this cauſe, he had counſelled his brother, the Cardinall, to leave the Arch-biſhopricke of *Sans*. But this matter of reformation of the Cardinals was quickely put to ſilence. For thoſe who were in *Trent*, inclining rather to have it handled by the Pope and Colledge, and thoſe who pretended for the *red Cap*, doubting their deſires might be croſſed, they did, with great facility, leave to ſpeake of it. The Pope alſo thought to make a conſtitution, that no Biſhops ſhonld have any temporall offices, either in *Rome*, or in the Eccleſiaſticall Dominion. But he was advertiſed by *Simoneta*, and other Prelates, that it would be a great prejudice to the Eccleſiaſtiques of *France*, *Polonia*, and other Kingdomes, where they are Counſellers of Kings, and have the principall offices, of which they might eaſily be deprived, if Princes ſhould take example by his Holineſſe, and the Secular Nobility incite them to it, for their owne intereſts. Therefore if he would execute this his determination, he ſhould do it in effects, and not in writing, leſt he ſhould damnifie the Clergie in other Kingdomes very much.

Did quickly vaniſh.

The Emperour found by experience, either at this time, or two moneths before, when *Morone* was with him, that his vicinity to the Councell did not only no good, as he thought it would, but the contrary rather. For the Popiſh Prelates, ſuſpecting his deſignes were againſt the authority of the Court

Court, were afraid of every thing; ſo that the difficulties and ſuſpitions did turne into bitterneſſe, and increaſe in number. Therefore having other buſineſſe wherein to employ himſelfe with more profit, he departed; and wrot to the Cardinal of *Loraine*, that the impoſſibility of doing good in the Councell being palpable, he thought it was the duty of a Chriſtian and wiſe Prince, rather to ſupport the preſent evill with patience, then by curing it, to cauſe a greater. And to the Count of *Luna*, who went unto him by Poſt, threee dayes before, he gave order to write to the Catholike King, concerning the Decree *Proponentibus Legatis* exhorting his Majeſty in his name to be content not to deſire the revocation, or declaration, and if he did thinke that the not declaring of it might prejudice other Councels, the declaration might, if need were, be made in the end of this. And notice being given, that they conſulted at *Rome* and in *Trent*, to proceed againſt the Queene of *England*, he wrote to the Pope and the Legates, that if the Councell would not yeeld that fruit, as was deſired, that they might ſee an union of all Catholiques to reforme the Church, at the leaſt they ſhould not give occaſion to the heretickes to unite themſelves more, which they would doe, in caſe they proceeded againſt the Queen of *England*. For undoubtedly they would by that means make a generall league againſt the Catholikes, which would bring forth great inconveniences. And his admonition was ſo effectuall, that the Pope deſiſted in *Rome*, and revoked the Commiſſion given to the Legats in *Trent*. After that the Pope had given diſtaſte to the Spaniards, in not giving place to the Ambaſſadors, to appeaſe them againe, he gave eare to the inſtance of *Vargas*, who had troubled him many dayes together, deſiring that as meanes was found that the Count of *Luna*, the Ambaſſadour of his King, might come into Congregations, ſo, the time of celebrating the Seſſion drawing neere, his Holineſſe would find a way that he might be there alſo; Whereof having conſidered well, and conſulted with the Cardinals, he reſolved finally that a place, ſeparated from the other Ambaſſadors, ſhould be given the Count in the Seſſion alſo, and to remedy the competency which would be in giving the *Incenſe* and the *Paxe*, he gave order that 2. *Cenſers* ſhould be uſed, and *Incenſe* given to the French-men, and the Spaniard both at once; as alſo two *Paxes* to be kiſſed at the ſame inſtant. And he wrote to the Legats to doe ſo, commanding that they ſhould conceale all untill the time of the execution, for feare ſome inconveniences might be prepared if it were knowne.

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The Emperor parteth from *Iſpruc.*

And dehorteth the Councell from proceeding againſt the Q. of *England.*

Morone, according to the Popes command, concealed the order, neither did the French-men know of it at all. On Saint *Peters* day, the 29 of June, the Cardinals, Ambaſſadors and Fathers being aſſembled in the Chappell of the Cathedrall Church, and the Maſſe being begun, which the Biſhop of *Aſti*, the Duke of *Savoy* his Ambaſſador, did celebrate, on the ſudden a murrey Velvet chaire came out of the Veſtry, and was placed betweene the laſt Cardinall, and the firſt Patriarke: and by and by the Count of *Luna*, the Spaniſh Ambaſſador, came in, and ſat upon it; whereat the Prelates kept a great murmuring, *Loraine* complained to the Legats of this ſudden act, concealed from him. The French Ambaſſadors ſent the Maſter of the Ceremonies to make the ſame complaint, telling them of the Ceremonies of this *Incenſe* and the

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the *Paxe*. The Legats anſwered there would be two *Cenſers* and two *Paxes*; wherewith the French were not ſatisfied, and ſaid plainely, that they would be maintained, not in parity, but in precedence, and would proteſt againſt every innovation, and depart from the Councell. Theſe goings and commings continued untill the end of the Goſpel, ſo that the Epiſtle and Goſpel were not heard, by reaſon of the great whiſperings. The Theologue being gone into the Pulpit to preach, the Legats, with the Cardinals, Ambaſſadors of the Emperour, and *de Ferrieres*, one of the French, retired into the Veſtry, where this matter was handled, and the Sermon was ended before any thing was concluded. In the midſt of the *Credo* a ſilence was made, and *Madruccio*, with *Five Churches*, and the Ambaſſadour of *Polonia*, came out to ſpeake with the Count of *Luna*, and to pray him in the name of the Legats, that, for that time, he would be content, that neither *Incenſe* nor the *Paxe* ſhould be given to any, to hinder this ſudden tumult, which might cauſe ſome great evill, promiſing, that, at any other time when he requeſted, they would execute the order of his Holineſſe of two *Cenſers* and two *Paxes* at once, which being conſidered on before hand, both he and they, and all might be able to reſolve how to governe themſelves with wiſedome. After long diſcourſe, they returned with this reſolution that the Count was content. So they all came out of the Veſtry, and went to their places, and the Maſſe proceeded without *Incenſe* or *Paxe*. And as ſoone as theſe words were ſaid; *Ite, miſſa eſt*, the Count of *Luna*, who, in the Congregations, was wont to go out laſt, did go then before the Croſſe, followed with a great part of the Spaniſh Prelates, and *Italians*, ſubject to his King. Afterwards the Legat, Ambaſſadors, and reſidue of the Prelates departed alſo, after the uſuall manner.

The Legats, to be freed from the imputation laid upon them for this ſecret, and almoſt fraudulent proceeding, in a matter of ſo great weight, were faine to publiſh the expreſſe orders, received from *Rome*, to doe ſo in that time, in that manner, and without participation of any. *De Ferriers* ſaid publiquely, that but for the reſpect he bare to the worſhip of God, he would have proteſted, as he had in commiſſion from his King, which he would do hereafter, in caſe the uſuall ceremonies of *Incenſe* and *Paxe* were not reſtored, & given them in their due place. The Cardinall of *Loraine* alſo wrote a ſharpe letter to the Pope, declaring the wrong that ſhould have been done them, and ſaid modeſtly, that his Holineſſe had made him be told that he truſted ſo much in him, that he would that all the affaires of the Councell ſhould be communicated unto him; whereof, though he ſaw no effect, yet he did not complaine; but he was troubled that he had commanded the Legats not to impart unto him their owne proper affaires, and eſpecially, that, in which he might have done more good then another, adding, that more miſchiefe had inſued, but for his mediation. He ſayd moreover, that the blame of all was imputed to his Holineſſe, & prayed him that he would not be the author and cauſe of ſo great an evill. He ſent *Muſottus* unto him alſo, by poſte, to informe him more particularly of the reſolution of the French Ambaſſadors, and of the emminent danger. The Count of *Luna* complained of the ſtiffeneſſe of the French Ambaſſadors, and magnified his owne

great

great patience, and modeſty, and deſired the Legates, that the next Sunday he might be admitted to equall place, and Ceremonies, according to the Popes order. Some thought it was a ſtratagem of the Pope to diſſolve the Councell; and the Papalins, called *Amorevoli*, ſaid, that, if they muſt come to a diſſolution, they deſired it ſhould rather happen for the controverſie about the words of the Councell of *Florence*, *That the Pope is Rector of the Church univerſall*; thinking it would be more eaſie to juſtifie his Holineſſe in that, and to lay all the blame upon the French-men. 1563

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The next morning, the laſt of June, the Count having aſſembled the Spaniſh Prelates, and many Italians, told them, that the day before he went into the Chappell, not to give occaſion of any diſturbance, but to keep the right of his King, and make uſe of the Popes order; that ſince he had underſtood, that, in caſe he ſhould returne to the Chappel againe, the Frenchmen would proteſt: which if they ſhould doe, he muſt not faile to anſwer them, in the ſame manner and termes that they ſhould uſe, as in regard of his Holineſſe, ſo alſo in the behalfe of the Majeſty of his King. The Prelates anſwered, that if it came to this, they would be ready to doe his Holineſſe ſervice, and not faile to hold eſteeme of his Catholike Majeſty as farre as did concerne them. The Count prayed them again to conſider well of all which might happen in ſuch a caſe; ſaying, that himſelfe would come prepared alſo. And knowing that the French-men could take but three courſes, either againſt the Legats, or againſt the King, or againſt him the Ambaſſadour, he meant to be provided for an anſwere for all. All the Ambaſſadours of other Princes perſwaded the Legats to find a temper; that ſo great diſorder might not happen: who anſwering, that they muſt needs execute the Popes command, which was preciſe, and without any reſervation, and the rather becauſe they had promiſed the Count to do it whenſoever he would requeſt it, the Cardinall of *Loraine* proteſted to them, that, in caſe they did ſo, he would goe into the Pulpit, and ſhew of what importance the matter was, and what a ruine it would bring to all Chriſtendome, and with the crucifixe in hand, would cry, *Miſericordia*, perſwading the Fathers and people to goe out of the Church, that they might not ſee ſo fearefull a ſchiſme, and crying, *He that deſires the welfare of Chriſtendome, let him follow me*, would depart out of the Church hoping he ſhould be followed by every one. The Legats mooved herewith, perſwaded the Count to be content that no Chappell ſhould be held the next Sunday, nor any proceſſion made, according to the uſe; and ſent the Pope adviſe of all.

Continuall Congregations were held in the houſe of the French and Spaniſh Ambaſſadors. The Spaniard ſometimes gave hope he would be content, and ſometimes made inſtance to goe to Church, to execute the Popes order for the *Incenſe* and *Paxe*. And the French Ambaſſadours were reſolved to proteſt, and depart, and ſaid openly, that they would not proteſt againſt the Legats, being but meere executors, nor againſt the King of *Spaine*, or the Count his Ambaſſador, in regard they did proſecute their cauſe, nor againſt the Apoſtolike *Sea*, which they would alwaies honor, following the ſteps of their predeceſſors, but againſt the perſon of the Pope, from whom the prejudice and innovation came, as making himſelfe a party, and giving cauſe

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The Frenchmen make a queſtion whether the Pope were lawfully elected.

cauſe of ſchiſme, and for another cauſe alſo, appealing unto the future Pope, lawfully elected, and to a true and lawfull Councell, threatning to depart, and to celebrate a Nationall. The Prelates, and other Frenchmen apart, did commonly ſay to every one, that the Ambaſſadors had proteſtations againſt the perſon of the Biſhop, who caryed himſelfe for Pope, being not lawfull becauſe there was a nullity in the election for *Simony*, intimating particularly the obligation which Cardinall *Caraffa* had from the Duke of *Florence*, with promiſe of a certain ſumme of money, which that Cardinall ſent afterwards to the Catholike King, pretending it could not be made, but by conſent of the Pope before his aſſumption, as alſo another obligation made by the Popes owne hand, then Cardinall in the *Conclave*, to the Cardinall of *Naples*, whereof mention hath bin made before. And the Preſident *de Ferrieres* prepared a very ſharp Oration in *Latin*, and a proteſtation: which howſoever it was not made, yet it was printed, and was ſhewed by the Frenchmen, and is ſtill to be ſeene in print, as if it had beene recited; to relate the ſubſtance whereof, is not beſides our preſent purpoſe, that it may be ſeene, not what the French ſaid only but what opinion they brought to the Councel. He ſaid in ſubſtance; That the Councel having bin called by means of *Francis* and *Charles*, brothers, French Kings, they the French Kings Ambaſſadors, were ſory they ſhould be forced to depart, or conſent to the diminution of the Kings dignity, that the prerogative of the French King was known to whoſoever hath read the Popes Law, and the Hiſtories of the Romane Church; as alſo thoſe who have read the volumes of the Councels muſt needs know what place themſelves ought to holde, that the Ambaſſadors of the Catholique King, in former generall Councels, have followed the Ambaſſadors of the moſt Chriſtian, that now the mutation was made, not by the Fathers, who, if they had beene in liberty, would not have deprived any Prince of his poſſeſſion, nor by the Catholike King, ſo neerely allied in amity & kindred with their King, but by the Father of all Chriſtians, who, in ſtead of bread hath given his eldeſt ſonne a ſtone, and for a fiſh, a ſerpent, to wound, with one ſting, the King and the French Church together, that *Pius* 4. doth ſow ſeeds of diſcord, to diſturbe the peace of Kings who are in amity, changing by force and injuſtice, the order of ſitting, alwaies uſed by the Ambaſſadours, and laſtly in the Councels of *Conſtance* and *Lateran*, to ſhew that he is above Councels; that he can neither diſturbe the amity of the Kings, nor alter the doctrine of the Councels of *Conſtance* and *Baſil*; that the Councel is above the Pope; that Saint *Peter* had learned to abſtaine from worldly matters, whereas this his ſucceſſor, and no imitator, did pretend to give and to take honors from Kings, that, by the divine, Nationall, and civill Law account was held of the Eldeſt ſonne, both in the life time and after the death of the father; but *Pius* doth refuſe to preferre the eldeſt King before thoſe who were borne long after him; that God, in reſpect of *David* would not diminiſh the dignity of *Solomon*; and *Pius* the fourth, without reſpect of the merits of *Pipin*, *Charles*, *Lewis*, and of other Kings of *France*, doth pretend with his decree, to take away the prerogatives of the ſucceſſors of thoſe Kings; that, againſt the Lawes of God and man, without any knowledge of the cauſe, he hath condemned the King, taken his

The proteſtation.

moſt

moſt ancient poſſeſſion from him, and pronounced againſt the cauſe of a pupil, and widow; that the ancient Popes, when a generall Synod was celebrated, have never done any thing, without approbation thereof, and *Pius* hath, without that Councell, which repreſenteth the Church univerſall, taken away the poſſeſſion of the *Orators* of a King, a pupill not cited, ſent not to him, but to the Synod; that, to the end proviſion might not be made againſt it, he hath uſed diligence to conceale this decree, commanding the Legats, upon paine of excommunication, to keepe it ſecret; that the Fathers ſhould conſider whether theſe be the facts of *Peter*, and other Popes, and whether they the Ambaſſadours are not forced to depart, from the place where *Pius* hath left no place for lawes, notſo much as any print of liberty of the Councell, in regard nothing is propoſed to the Fathers, or publiſhed, if it be not firſt ſent from *Rome*; that they did proteſt only againſt that *Pius* the fourth, adoring the Apoſtolique *Sea*, and the Pope, and the Church of *Rome*, refuſing onely to obey this man, and to eſteeme him the Vicar of CHRIST; that they will alwaies have in great veneration the Fathers; but, ſeeing that whatſoever is done, is not done in *Trent*, but in *Rome*, and that the Decrees publiſhed, are rather of *Pius* the fourth, then of the Councell of *Trent*, they will not receive them for the Decrees of the generall Synod. In concluſion, he commanded the Prelates and Divines, in the Kings name, to depart, and to returne when GOD ſhould reſtore the due forme and liberty to Generall Councels, and the King receive his due place.

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But there was no occaſion to proteſt. For the Count conſidered finally, that, howſoever the Spaniſh party was greater, in number of Prelates, then the French, yet, becauſe the dependants of the Pope, who at the firſt were on this ſide, when they underſtood the will of his Holineſſe, would now, knowing that a diſpatch was made to *Rome* for this cauſe, thinke fit he ſhould deſiſt untill the anſwere and the new order came, and therefore joyne with the French, his ſide would proove to be the weaker. Therefore inclining to a compoſition, and all the other Ambaſſadors, and the Cardinall *Madruccio* interpoſing, after many difficulties, they agreed that neither *Incenſe* nor the *Paxe* ſhould be given in the publike Ceremonies, untill the anſwer of the King of *Spaine* did come. This accord diſpleaſed the Popes dependants, who would have beene glad of that occaſion to interrupt the progreſſe of the Councell, as alſo thoſe, who being weary of *Trent*, and not ſeeing how the Councell could either proceed or be ended, deſired the interruption, as the leſſer evill, that the diſcords might not increaſe. It is certaine that the Pope himſelfe, receiving advice of this compoſition, did take it ill, in regard of the ſame feare, that the diſcords may not be made greater, and ſome evill enſue. And the Spaniſh miniſters in *Italy* did all blame the Count, for letting ſlippe ſo favourable an occaſion for the ſervice of the King.

This controverſie being compoſed, the Legats, intent upon the celebration of the Seſſion, becauſe the time approached, conſulted what might be done to remoove the differences. *Loraine*, propoſed the omiſſion of the two articles, that is, of the Inſtitution of Biſhops, & of the authority of the Pope, as things wherein the parties were too paſſionate, and, cõcerning Biſhops to ſay

How the difficulties in the points for the next Seſſion were removed

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ſay nothing, but what concerneth the power of *Order*. To ſome of the Papalins this ſeemed a good remedy, but to others not; who ſaid, that this would be attributed to the Pope, as if the forme laſt compoſed did not pleaſe him, and the Princes would wonder, why his Holineſſe ſhould not reſt content, having the ſame power given him, which Saint *Peter* had; which would have given matter of diſcourſe to the heretiques. Beſides, the *Spaniards* would take occaſion to have little hope hereafter to agree together in any thing: whence infinite difficulties would ariſe in other matters alſo. Moreover there might be a doubt whether it could be effected, becauſe it was profitable that many of the Fathers would require, that thoſe Articles ſhould be declared. The Cardinall of *Loraine* offered that the French-men ſhould not require it, and ſo to labour with the *Spaniards* that they alſo ſhould be content; adding, that, in caſe the Legats would doe the like with the *Italians*, who doe with too much paſſion oppoſe the others, all would be compoſed.

And very fitly order came from the Emperour to his Ambaſſadours, to uſe all meanes that the authority of the Pope ſhould not be diſcuſſed in Councell; which his Majeſty did, becauſe he ſaw the *major* part was inclined to enlarge it, and feared that ſomething might be determined, which might make his concord with the Proteſtants more difficult. The Ambaſſadours, having treated with the Legats in conformity hereof, as alſo with *Loraine*, and other principall Prelates, did cauſe this Article to be omitted, as alſo that other of the Inſtitution of Biſhops. But firſt they made many conſultations about it, admitting unto them the Prelates which were of greateſt note, and had moſt followers, ſometimes more, ſometimes fewer, that they might ſo diſpoſe of matters, as that all might reſt contented, and the Decrees of the proviſions made againſt the abuſes were given forth. Concerning the firſt point, which was of the election of Biſhops, the Ambaſſadors of *Spaine* and *Portugall* did ſharply oppoſe this particular, that the Metropolitans ſhould examine the perſons promoted to Biſhopricks (whereof much hath beene ſaid before) ſaying, that this was to ſubject the Kings to the Prelates their ſubjects, becauſe authority was indirectly given them, to reject the Kings nominations. The French Ambaſſadors being demanded what their opinion was, made ſhew they did not care whether it were decreed or not. Whereupon the Popiſh Prelates, who thought it a diminution to the Popes authority, ſaid, that all that point might be omitted: eſpecially, becauſe, in the firſt Seſſion, ſufficient proviſion was made in that matter. But others oppoſing hotely, a concluſion was made by common conſent, that it ſhould be deferred untill the next Seſſion, that they might have time ſo to diſpoſe it, as that it might pleaſe all, leſt the publication of the things agreed on ſhould be croſſed, in regard of this.

There was the ſame difficulty about the laſt of the Articles propoſed, in which a forme of confeſſion of faith was preſcribed, to be ſworne, by thoſe who were deſigned to Biſhoprickes, Abbies, and other Benefices with cure, before the examination; which did ſo cohere with that of the election, as that they could not be ſeparated. It was reſolved to deferre this Article alſo. But becauſe it was deferred, and then reſolved not to be decreed, and afterwards

wards, in a tumultuous manner, referred to the Pope, as ſhall be ſaid in due place, it is not aliene from our preſent purpoſe to recite here the ſubſtance of it. Which was, that not only it ſhould be required of them who were deſigned to Biſhoprickes, and other cures of ſoules, but alſo an admonition and precept, in vertue of obedience, made to all Princes of what Majeſty or excellency ſoever, not to admit to any dignity, magiſtracy, or office, any perſon, before they have made inquiſition of his Faith and religion, and before he hath voluntarily confeſſed and ſworne the Articles, contained in that forme; which, to that end, it did command to be tranſlated into the vulgar tongue, and publikely read every Sunday, in all the Churches, that it might be underſtood by all. The Articles were. To receive the Scriptures of both Teſtaments, which the Church doth hold to be canonicall, as inſpired by God. To acknowledge the holy Catholike Apoſtolike Church, under one Biſhop of *Rome, Vicar* of CHRIST, holding conſtantly the faith and doctrine thereof, in regard, being directed by the holy Ghoſt, it cannot erre. To have in veneration the authority of Councels, as certaine and undoubted, and not to doubt of the things once determined by them. To beleeve, with a conſtant faith, the Eccleſiaſticall traditions, received from one to another. To follow the opinion and conſent of the Orthodoxe Fathers. To render abſolute obedience to the conſtitutions and precepts of the holy mother the Church. To beleeve, and confeſſe the ſeven Sacraments, and their uſe, vertue, and fruit, as the Church hath taught untill this time, but above all, that in the Sacrament of the Altar there is the true body and blood of CHRIST, really and ſubſtantially, under the Bread and Wine, by the vertue and power of the word of God, uttered by the Prieſt, the only miniſter ordained to this purpoſe, by the inſtitution of CHRIST; confeſſing alſo that he is offered in the Maſſe to God, for the living and the dead, for the remiſsion of ſinnes. And finally to receive and retaine moſt firmely all things which have been untill this time piouſly and religiouſly obſerved by their anceſtors, nor to be remooved from them by any meanes, but to avoyd all novity of doctrine, as a moſt pernicious poyſon, flying all ſchiſme, deteſting all hereſie, and promiſing to aſsiſt the Church readily and faithfully, againſt all heretickes.

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It being (as it hath been ſaid) reſolved to omit this matter, they laboured to rectifie the matter of Reſidence, by taking away whatſoever might diſpleaſe thoſe who held it to be *de jure Divino*, or thoſe who thought it to be, *de jure Poſitivo*. *Loraine* uſed all effectuall diligence to make the parties agree, reſolving that, by all meanes, the Seſſion ſhould be held at the time appointed. For having received lately very loving letters from the Pope, to invite him to come to *Rome*, and to ſpeake with him, and determining to give his Holineſſe all ſatisfaction, his reſolution was to give him this, as an earneſt, that is, to end the diſcords, and compoſe the differences betweene the Prelates; a thing much deſired by him. For his going to *Rome*, he ſpake ambiguouſly, meaning to expect an anſwere from *France*. Another matter, though of no great importance, did prolong the progreſſe; that is, the handling of the functions of *Orders*, of which a great long Article was propoſed, wherein all were expounded, from the office of a Deacon, to the office of a

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doore-keeper. This was compoſed in the beginning by the Deputies, when the Decrees were made, as neceſſary to oppoſe againſt the Proteſtants, who ſay thoſe *Orders* were not inſtituted by Christ, but by Eccleſiaſticall introduction, becauſe there is uſe of them, as being offices of good and orderly gouernement, but not Sacraments. This Article of the Decree was taken out of the *Pontificiall*, which would be too long and ſuperfluous to repeat, in regard it may be read in the booke it ſelfe. And the Decree did declare beſides, that thoſe functions cannot be exerciſed but by him, who, being promoted by the Biſhop hath received grace from God, and a *Character* imprinted, to make him able to doe it. But when it came to be eſtabliſhed, they were troubled to reſolve an olde common objection, what neede there could be of a *Character*, and ſpirituall grace, to exerciſe corporall Acts, as to reade, light candles, ring bels, which may be as well or better done by thoſe who are not ordained; eſpecially ſince it hath beene diſuſed, that men ordained ſhould exerciſe thoſe functions. It was conſidered, that the Church was condemned hereby for omitting this uſe, ſo many yeeres. And there was a difficulty how to reſtore the practiſe of them. For they muſt ordaine, not children, but men of age to ſhut the Church doores, to ring the bels, to diſpoſſeſſe the poſſeſſed with devils: which if they did, they did croſſe another Decree, that the inferiour orders ſhould be a neceſſary degree to the greater. Neither did they ſee how they could reſtore the three offices to the Deaconſhip, to miniſter at the Altar, to Baptize, and to preach; nor how the office of the Exorciſts could be exerciſed, in regard of the uſe brought in, that the Prieſts only did diſpoſſeſſe the poſſeſſed. *Antonius Auguſtinus* Biſhop of *Lerida*, would have had that whole matter omitted, ſaying that, howſoever it was certaine that theſe were *Orders*, and Sacraments, yet it would be hard to perſwade that they were brought in in the Primitive Church, when there were but few Chriſtians; that it was not for the Synodes dignity, to deſcend to ſo many particulars; that it was ſufficient to ſay, there are foure inferiour *Orders*, without deſcending to any further ſpeciality of doctrine, or making any innovation in the practiſe. Oppoſition was made, that ſo the doctrine of the Proteſtants, who call them idle Ceremonies, would not be condemned. But *Loraine* was Author of a middle courſe, that the Article ſhould be omitted, and in few words the execution referred to the Biſhop, who ſhould cauſe them to be obſerved, as much as was poſſible.

The functions of the inferior *Orders*.

Theſe things being ſetled, they reſolved to reade all in the conſultation of thoſe principall Prelates, that all things might paſſe in the generall Congregation with abſolute quiet. Both parties were agreed, but only in the ſixth *Anathematiſme*, that is, that the *Hierarchie* is inſtituted by Divine ordination. The Arch-biſhop of *Otranto*, and other Popiſh Prelates ſuſpected, that, by ſuch generall words, ſignifying that all holy *Orders*, without making difference, are by ordination of Christ, it might be inferred, that Biſhops are equall to the Pope. But the Popiſh Divines and Canoniſts did perſwade them not to make difficulty, becauſe it was manifeſt, by the Canons precedent, and ſubſequent, that nothing was ſpoken of but *Order*, in which the Pope doth not exceed the Biſhops, and no mention made of juriſdiction.

The

The ſame men ſuſpected alſo the *Proheme* of the Article of reſidence; where it was ſaid, that thoſe who have cure of ſoules are bound, by Gods commande, to know their ſheepe, &c. inferring, that it was; in ſome ſort, declared that Reſidence was by the commandement of God. But the greater part of the Papalins were of the contrary opinion, ſaying, that all thoſe particulars which are ſaid to be commanded by God, to him who hath charge of ſoules, may be obſerved in abſence, though not ſo well as in preſence, and that the words following do provide againſt all prejudice to his *Beatitude*. They ſaid moreover, that it having bin compoſed by the Cardinal of *Mantua*, and often conſulted on, this doubt was never made, and that at *Rome* likewiſe they did not thinke it prejudiciall. But *Otranto* and his followers could not poſſibly be removed from their opinion. 1563 PIUS 4 FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

Some of the *Spaniards* were very earneſt for the declaration, that the Inſtitution of Biſhops, and Reſidence are *de jure divino*, but were forced to deſiſt, becauſe the *major* part of their Colleagues were diſſwaded by *Loraine*, who uſed tearmes of conſcience, ſaying it was not good, nor acceptable to GOD, when the good deſired could not be effected, to cauſe evill by a ſuperfluous and vaine inſtance; that it was ſufficient to hinder the prejudice which ſome thought to have done the truth, by eſtabliſhing contrary opinions, and that if all could not be now obtained which was deſired, ſome thing might be hoped for hereafter, by the aſſiſtance of GOD. But *Granata Segovia*, and ſome others could not be remooved by any meanes; and on the other ſide, it was not poſſible to make quiet the Patriarke of *Jeruſalem*, or the Arch-biſhop of *Otranto*, and their adherents, who reſoved to croſſe all that was propoſed, as not ſerving to remove the differences, but onely to cover them; being aſſured, that, in the progreſſe, they would returne with greater force, and thinking it better, in caſe they muſt needes breake, to doe it before the Seſſion then after, Neither were the Legates able to perſwade them.

Notwithſtanding theſe two contradictions, matters were eſtabliſhed with the other principall Prelates; and the ninth of July the generall Congregation began; in which all that belongeth to the doctrine and Canons of *Order* being firſt read, the Cardinall of *Loraine* gave an example of ſpeaking briefly, and making no difficulty: and was imitated by others, untill it came to *Granata* to ſpeake; who ſaid, it was an indignity, that the Fathers ſhould be thus derided, handling the foundation of the Inſtitution of Biſhops ſo long, and now omitting it, requiring the declaration, *de jure divino*, and wondering why a point ſo true and infallible, ſhould not be declared. He added that all bookes which ſay the contrary ought to be condemned as hereticall. *Segovia* adhered to him, and ſaid it was an expreſſe truth, which could not be denied, and that it ought to be declared, to condemne the heretiques who defend the contrary. *Guadice*, *Aliffe*, *Monte-Marano*, and ſome other Spaniſh Prelates followed: ſome of which ſaid, that their opinion was as true as the precepts of the decalogue. The Biſhop of *Conimbria* did complaine publiquely, that the truth was circumvented by craft; that is by ordaining titular Biſhops. For this did ſhew that juriſdiction was not eſſentiall to a Biſhopricke, nor received immediately from CHRIST. And

The Spaniſh Prelates are conſtant in their opinion concerning the Inſtitution of Biſhops.

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he required a declaration to the contrary, repeating the conceipt often uſed, that a Church and faithfull ſubjects were as eſſentiall to a Biſhop, as a wife to an husband. The Decree of Reſidence being propoſed afterwards, *Loraine* did approove it with the ſame brevity; onely he aduiſed, that where the cauſes of abſence are expreſſed, amongſt which is utility of the Church, utility of the Common-wealth ſhould be added alſo, to remoove all impediment which that Decree might bring to the admiſſion of Prelates to offices and publique Councels; wherein he had a generall applauſe, *Madruccio*, who followed, ſpake in the ſame mannar. The Patriarke of *Jeruſalem*, and the Arch-biſhops *Verallo*, and *Otranto*, refuſed to deliver their opinions concerning that Decree: whereof the Arch-biſhop of *Braga*, when his turne was to ſpeake, complained, and turning to the Legats, told them, after a reprehending manner, that they ought to uſe their authority, and to force the Prelates to ſpeake their opinions, and that it was a bad example in Councell, as if they were compelled to be ſilent, or had an ambition not to ſpeake but when they had followers. Whereupon others, who reſolved to imitate them, changing their purpoſe, and conſented to the Decree. The other Decrees were approoved as they were read, but onely that *Granata* made inſtance that Reſidence might be declared to be *de jure divino* in plaine words, becauſe (he ſaid) the ambiguous words of the Proheme were unworthy of the Councell, which was aſſembled to take away, and not to increaſe the difficulties; that bookes maintaining the contrary ſhould be prohibited, and that Cardinals ſhould expreſly and namely be comprehended in the Decree. This laſt concerning Cardinals, did ſeeme to pleaſe many. Whereupon *Morone* anſwered, that conſideration ſhould be had of it, and that it ſhould be ſpoken of another time. They proceeded in the reſidue, and, in the end, the Patriarch and the two Arch-biſhops conſented alſo to the Decree; which was the firſt thing to make them hope that the Seſſion could be celebrated at the time appointed, a thing thought impoſſible, but effected, by the dexterity of the Cardinall of *Loraine*.

The dayes following the Fathers gave their voyces concerning the other Articles of reformation. In which there was no difference of moment, but only, that, at the great inſtance of *Pompeius Zambeccari*, Biſhop of *Sulmona*, one particle was moved out of the Articles of the firſt *Tonſure*, in which it was ſaid, that, if the promoted ſhall commit any delict within ſixe moneths after the ordination, the ordination ſhall be preſumed to be fraudulent, and the ordained ſhall not enjoy the priviledge of the Court; and whereas it is decreed that none ſhould be ordained before hee was oppropriated to ſome Church, the innovation of the Decrees made by the *Lateran* Councell was added, that thoſe alſo who were ordained to the title of the Patrimony, ſhould be applyed to the ſervice of ſome Church, in which they ſhould actually exereiſe themſelves, or otherwiſe ſhould not be partakers of the priviledges. This laſt was taken away alſo: and for the reſidue, with a ſmall variation of words, and thoſe not belonging to the ſubſtance, ſatisfaction was given to all the Fathers.

The Spaniards, who could not obtaine in Congregation the declaration for the inſtitution of Biſhops as they deſired, did the thirteenth day at night, aſſemble

assemble in the house of the Count of *Luna*; where *Granata* and his adherents, perswaded him to protest to the Legats, in case the determination of that point should be omitted; but others disswaded it, as a thing which might raise a great commotion. The whole Congregation was spent in disputes, and ended in contention, deferring the resolution untill the next morning. When the Count, hearing againe the diversity of opinions, and considering that it would much displease the Pope, all the Italian Bishops, and all the French-men, who had reformed their opinions, prayed *Granata* to thinke as others did, in regard it was not a matter of conscience, because the question was not in what manner it should be refined, but whether it should be refined, or omitted. *Granata* not changing, but saying that he thought in his conscience the determination was necessary, he desired him that he would speake his opinion quietly, and freely, and content himselfe if it were not embraced by others, and abstaine from contentions; which both he and the others promised to doe. 1563 Luna Ferdinand. Elizabeth. Charles 9. Philip 2.

The next day, which was the next before the Session, a generall Congregation was held, in which *Morone* did propose; whether the Fathers were pleased that in the Articles of Residence, and of the age of those who are to be ordained, mention should be made of Cardinals; and particularly of the age. Few did consent, and most of them did discourse that there is no cause to make any Cardinals under age, except Princes, in whom age is not considerable, because they doe honour the Clergie, of what age soever they be; and that it was to no purpose, to make a Decree where there was no abuse. But in the particular of the residence, the greater part was of opinion they should be named. But some contradicted, because it would be an approbation that Cardinals might have Bishoprickes, and, by consequence, *Commendaes*; which was not fit to doe, but to leave them to their conscience, which must needes tell them that they are not exempt from the generall precept, rather then by naming them, to approove two abuses at once, plurality of Benefices, and *Commendaes*. Afterwards some other particulars of small weight being handled and concluded, all which was to be published in Session was read againe, the Prelates giving their opinions only with the word, *placet*. Some Spaniards and Italians, in number twenty eight, answered negatively, and the others, being 192. did consent; and in the end *Morone* concluded, that the Session should be held. He thanked the Fathers for accepting the Decrees, and exhorted the others to joyne with them, and prayed the Count of *Luna* to perswade his Prelats, that, seeing the universal concourse of all the Councell in one opinion, they would not dissent. Whereof speaking with him more particularly, after the Congregation, he promised, that, whensoever the Popes authority should be declared, according to forme of the Councell of *Florence*, the institution of Bishops should be declared also to be *de jure divino*. The Spanish Prelates being assembled that day at night, in the house of the Count, after many discourses, grounding themselues upon the Cardinals promise, were content to accept all things.

The fifteenth of July being come, they went all to Church early in the morning with the usuall order; where the accustomed ceremonies were

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uſed. The Biſhop of *Paris* ſang maſſe, and the Biſhop of *Aliffe* preached, and did offend the French-men, by naming the King of *Spaine* before their King; as alſo the Polonians, by naming *Portugall* before *Polonia*; and the Venetians, for mentioning the Duke of *Savoy* before their *Republique*. He ſeemed to ſay alſo, that the celebration of the Councell, was a continuation with the precedent of *Paul* and *Julius*; wherein the Imperialiſts and French-men had ill ſatisfaction. He ſpake alſo of the faith and manners of the heretikes and Catholikes; and ſaid, that as the faith of the Catholiques was better, ſo the heretikes did exceed them in good life; which did give much diſtaſte, eſpecially to thoſe who remembred the ſaying of our Saviour, and of Saint *James*, that faith is not ſhewed but by workes. At that inſtant nothng was ſaid, for feare of troubling the Ceremonies. But the next day, the French Ambaſſadours, the Polonian and the Venetians, deſired the Legats that the Sermon might not be Printed, nor put amongſt the acts of the Councell. The Maſſe, and the other prayers being ended, the Brieſes of the Legation of the Cardinals of *Morone* and *Navaggero* were read, as alſo the *Mandats* of the King of *Polonia*, of the Duke of *Savoy*, the letter of the Queene of *Scotland*, and the *Mandate* of the Catholique King. Afterwards the Decrees of the doctrine of faith were read; in which there was no contradiction, but only that the major part of the Spaniards ſaid, they did conſent upon condition, that the Lords the Legats, ſhould performe the promiſe made to the Ambaſſadour of their King.

The Preacher offendeth many Ambaſſadours.

The Decree of faith.

The Decree of faith did containe in ſubſtance. 1. The Sacrifice and the Prieſthood, are united in each law; therefore there being a viſible ſacrifice in the New Teſtament, that is the *Euchariſt*, it muſt be confeſſed neceſſarily, that there is a viſible and externall Prieſthood, in which power is given, by divine inſtitution, to conſecrate, offer, and miniſter the *Euchariſt*, and to remit and retaine ſinnes. 2. Which Prieſthood being divine, muſt have many *Orders* of Miniſters to ſerve in it, which muſt aſcend from lower to higher miniſteries, becauſe the Scripture maketh mention of the name of Deacons, and from the beginning of the Church the miniſteries of Subdeacons, *Accolythues*, *Exorciſts*, *Readers*, and *Oſtiaries* were uſed, placing the Subdeaconſhip amongſt the greater *Orders*. 3. And becauſe grace is conferred in the holy ordination, *Order* is truly and properly one of the ſeven Sacraments of the Church. 4. In which a *Character* being imprinted, which cannot be blotted out, the Synode doth condemne thoſe who ſay that Prieſts have *ſacerdotal* power for a time, ſo that they may returne to the world, and not exerciſe the miniſtery of the word of God. And doth condemne thoſe who ſay all Chriſtians are Prieſts, or have equall ſpirituall power; which is nothing but to confound the Eccleſiaſticall *Hierarchie*, which is in an order, as an army of ſouldiers. To which *Hierarchiall* order doe belong eſpecially Biſhops, who are ſuperior to Prieſts, to whom it appertaineth to adminiſter the Sacrament of *Confirmation*, to ordaine Miniſters, and to performe other functions. The Synode doth teach alſo, that, in the ordination of Biſhops, Prieſts, and other degrees, the conſent, vocation, or authority of the Magiſtrate, or of any other ſecular power not neceſſary; and that thoſe who, called only, or inſtituted by the people, ſecular power or Magiſtrate,

or

or by their owne temerity, doe aſcend to Eccleſiaſticall Miniſteries, are not Miniſters, but theeves. 1563

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This doctrine was attended with eight *Anathematiſmes*. 1. Againſt him that ſhall ſay, that there is no viſible Prieſthood in the new Teſtament, nor any power to conſecrate and offer, and remit ſinnes, but only an Office, or naked Miniſtery to preach the Goſpel, and that thoſe who do not preach are not Prieſts. 2. Or that, beſides Prieſthood, there are not greater *Orders* and leſſe, which are degrees to aſcend to Prieſthood. 3. Or that holy ordination is not a Sacrament, but an humane invention, or only a certain Rite, to elect Miniſters of the word of God, and of the Sacraments. 4. Or that the holy Ghoſt is not given by the holy Ordination, nor any *Character* imprinted, or that a Prieſt may returne to be a Laique. 5. Or that the holy Unction, or other Ceremonies which the Church uſeth, are not requiſite, but may be omitted, or are pernicious. 6. Or that there is not an *Hierarchie* inſtituted in the Catholique Church; by divine Ordination, conſiſting of Biſhops, Prieſts, and Miniſters. 7. Or that Biſhops are not Superiour, to Prieſts, or have not power to confirme and ordaine, or that Prieſts alſo have the ſame power, or that *Orders* conferred without the conſent or vocation of the people, or Secular power, are void, or that they may be lawfull Miniſters of the word of God and Sacraments, who are not lawfully ordained by the Eccleſiaſticall power. 8. Or that Biſhops aſſumed by authority of the Pope, are not lawfull and true, but that it is an humane invention. The *Anathematiſmes*.

Afterwards the decree of reformation was read, which contained eighteene heads. The firſt concerning the matter of Reſidence, ſo much diſputed on, in which it was ſaid, that every one that hath cure of ſoules, is bound, by the Commandement of God, to know his ſheepe, to offer Sacrifices for them, to feed them with preaching, Sacraments, and good examples, and to attend other Paſtorall charges; which things becauſe they cannot be performed by him who doth not aſſiſt and watch over the flocke, the Synode doeth admoniſh them to feede and governe, with judgement and truth. But that none by a badde interpretation of the Conſtitutions, made under *Paul* the third in this matter, may thinke the abſence of five Moneths lawfull, it doeth declare, that whoſoever hath Biſhoprickes, in what title ſoever, though Cardinals, are bound to reſide perſonally, nor may be abſent, but when Chriſtian charity, urgent neceſſity, due obedience, or utility of Church or Common-wealth doth require; as alſo that ſuch cauſes of abſence muſt be approoved for lawfull, by the Pope, or Metropolitane, except they be notorious or ſudden, in which caſe the Provinciall Councels muſt take knowledge, and judge of the licences graunted, that there may be no abuſe therein, the Prelates providing that the people may not be damnified in their abſence. And becauſe a ſhort abſence deſerveth not this name, though without any the cauſes aforeſayd, it doth declare that this ſhall not exceede the ſpace of two moneths, or three at the moſt, whether it be continuate or at divers times, ſo that there be equity of reaſon in it, and without the dammage of the flocke; which muſt be referred to the conſciences of the Prelates; admoniſhing every one not to be abſent on Sundayee in *Advent*, *Lent*, Feaſt of the *Nativity*, *Reſurrection*, *Pentecoſt*, or *Corpus* The Decree of Reformation.

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Corpus Chriſti. Which Decree, he that ſhall violate, beſides the penalties impoſed upon *Non-reſidents* under *Paul* the third, and mortall ſinne, may not, with a good conſcience, enjoy the Fruits for that proportion of time, decreeing the ſame concerning all thoſe that have charge of ſoules, who, being abſent with leave of the Biſhop, muſt ſubſtitute a ſufficient Vicar, approoved by the Biſhop, allowing a convenient ſtipend; and doth ordaine that this Decree, together with the order under *Paul* the third, ſhall be publiſhed in the Provinciall and Dioceſan Councels.

The ſecond Article of the Decree concerning *Order*, was; That whoſoever doth hold a Biſhopricke, in what title ſoever, though a Cardinall, not receiving conſecration within three moneths, ſhall loſe the Fruits, and deferring three moneths more, ſhall loſe the Benefice, and that the conſecration, if it be not in the Court of *Rome*, ſhalbe celebrated in the proper Church, or in the Province at the leaſt, if there be opportunity. The third, That Biſhops ſhall celebrate the ordinations in their owne perſon, and, in caſe they be ſicke, ſhall not ſend their ſubjects to be ordained by other Biſhops, before they be examined and approoved by themſelves. The fourth, That the firſt *Tonſure* ſhall not be given but to him that is confirmed, and hath learned the principles of Faith, to reade and write, and hath choſen a Clericall life to ſerve God, not to avoyd the Secular judgement. The fift, He that is to be promoted to the inferiour *Orders* ſhall have teſtimony from the Pariſh Prieſt, and Schoolemaſter, and charge ſhall be given by the Biſhop, that his name may be propoſed publikely in Church, and inquiſition made of his birth, age, manners and life. The ſixth, That none ſhall have an Eccleſiaſticall benefice before the age of fourteene yeeres, nor enjoy the exemption of the tribunall, if he have not an Eccleſiaſticall Benefice, or, wearing the habit and *Tonſure*, doth not ſerve in ſome Church, by commiſſion from the Biſhop, or dwell in a Seminary, or Schoole, or Univerſity, with licence of the Biſhop. And, for married Clerks, the Conſtitution of *Boniface* the eighth ſhal be obſerved, with condition likewiſe that they ſhal ſerve in the Church, in habit and *Tonſure*, by deputation of the Biſhop. The ſeventh, That when an ordination is to be made, all ſhall be called to the City the Wedneſday before, and diligent inquiſition and examination of them made by the Biſhop, with the aſſiſtance of whō he pleaſeth. The eighth, Ordinations ſhall not be celebrated but in times appointed by the law, in the cathedral Church, in preſence of the Canons: and if occaſion be to make it in another place of the Dioceſſe, it ſhall be in the moſt worthy Church, in preſence of the Clergie. Every one ſhall be ordained by his owne Biſhop, or, if any be ordained by another, he ſhall have letters teſtimoniall of his owne. The ninth, A Biſhop ſhall not ordain one of his family that is not his ſubject, if he have not dwelt with him three yeeres, and, in that caſe, ſhall preſently conferre a Benefice upon him. The tenth, No Abbat, or other Prelate, ſhall conferre the firſt *Tonſure*, or the minor *Orders*, but unto Regulars, their ſubjects; nor theſe or other Prelats, Colledges, or Chapters, ſhall grant dimiſſory letters to Secular Clerkes to receive *Orders*. The eleventh, That the minor *Orders* ſhall be conferred upon him that underſtandeth the Latine tongue, and with interpoſition of time betweene one *Order* and another; and theſe being degrees

grees unto others, none ſhall be ordained if there be not hope that he may be worthy of holy orders; and from the laſt of the minor *Orders* untill the Subdeaconſhip, there ſhall be the interpoſition of a yeer, if the Biſhop ſhall not judge otherwiſe for the good of the Church. The twelfth, None ſhall be ordained *Subdeacon* before the age of two and twenty yeeres, *Deacon* before three and twenty, *Prieſt* before ſixe and twenty. Neither ſhall the Regulars have any exemption herein. The thirteenth, *Subdeacons*, and *Deacons* ſhall be firſt proved in the minor *Orders*, ſhall have hope to live continently, ſhall ſerve the Church to which they are aſcribed, and ſhall thinke it very convenient to receive the Communion on Sundayes, and ſolemne Feaſts, when they ſerve at the Altar. *Subdeacons* ſhall not paſſe to a higher degree, untill they be exerciſed one yeere in their owne; but two holy degrees ſhall not be given in one day, by vertue of any priviledge whatſoever. The fourteenth, None ſhall be ordained a Prieſt but a Deacon which hath been exerciſed in that miniſtery, a whole yeere at the leaſt, and found ſufficient to teach the people, and adminiſter the Sacraments: and the Biſhop ſhall take care that they celebrate the Maſſe every Sunday, and holy day, and, in caſe they have cure of ſoules, they ſhall ſatisfie their charge; and if any be ordained to the ſuperiour *Orders*, before the inferiour, the Biſhop may diſpenſe, if there be a lawfull cauſe. The fifteenth, How ſoever Prieſts receive power, in their ordination to abſolve from ſinnes, yet none ſhall heare confeſſions, who have not a Parochiall Benefice, or is not approoved by the Biſhop. The ſixteenth, None ſhall be ordained before he be aſcribed to ſome particular Church, or pious place, to exerciſe the miniſtery of that *Order*; and, if he abandon the place without conſent of the Biſhop, the miniſtery ſhall be prohibited unto him; and no ſtrange Clerke ſhall be admitted to the exerciſe of the miniſtery without the letters of his Ordinary. The ſeventeenth, To bring againe into uſe the functions of the *Orders* from a Deacon to an Oſtiary, which, being uſed from the time of the Apoſtles, have been intermitted in many places, that they may not be derided by the heretikes, as idle, theſe Miniſteries ſhall not be exerciſed, but by thoſe who have received the *Orders* appertaining, and the Prelates ſhall reſtore thoſe functions, and in caſe they have not continent Clerkes for exerciſe of the minor *Orders*, they may take married men, ſo that they have not been twice married, and be in other reſpects apt for that exerciſe.

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The laſt Article was for the inſtitution of *Seminaries*, in which it was conſtituted, that every Epiſcopall Church ſhould have a certaine number of boyes, brought up in a Colledge, neere the Church, or in another convenient place, the boyes ſhall be twelve yeeres old at the leaſt, legitimate, and diſtributed into formes, by the Biſhop according to their number, age, and progreſſe in Eccleſiaſticall diſcipline. They ſhall weare the habit, and *Tonſure*, learne Grammer, Muſicke, Eccleſiaſticall computation, the holy Scripture, to reade the Homilies of the Fathers, know the Rites and Ceremonies of the Sacrament, and eſpecially that which belongeth to hearing confeſſions. And to defray the charge thereof, where there is any revenue deputed for education of children, it ſhall be applyed to this *Seminarie*, and, to ſupply that which remaineth, the Biſhop, with foure of the Clergie, ſhall detract a portion

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tion from all the Benefices of the Dioceſſe, and apply ſimple Benefices alſo to this uſe, and compell thoſe who have Schoole-houſes, or other charge to reade or teach in the Schooles of the *Seminary*, by themſelves, or by ſufficient ſubſtitutes; and Schoolemaſters places ſhall not be given hereafter, but unto Doctors or Maſters in Divinity, or in the Canon Law. And if, in any Province, the Churches be ſo poore, that a *Seminary* cannot be erected in them, one, or more, ſhall be appointed in the Province; and in the Churches of the great Dioceſſe, the Biſhop ſhall erect one, or more if he thinke fit, beſides that of the City, which notwithſtanding ſhall depend on that of the City.

In the end, the Decree, intimating the next Seſſion for the ſixteenth of September, was read, expreſſing that then the Sacrament of Matrimony was to be handled, and other things pertaining to the doctrine of Faith, as alſo the proviſions of Biſhoprickes, Dignities, and othe Benefices, and divers other articles of reformation. The Seſſion continued from nine untill ſixteene a clocke, with great content of the Legates and Popiſh Prelates, that matters did paſſe ſo quietly, and with ſuch a generall conſent; And they commended the Cardinall of *Loraine* above all, confeſſing that he had beene the moſt principall cauſe of this benefit.

The cenſure of the Acts of this Seſſion.

No act of this Councell was ſeene with more deſire then this of this Seſſion, every one being curious to know what that was which held in contention ſo many Prelates in *Trent*, and all the Courts of Chriſtian Princes in buſineſſe ten moneths together. But it prooved to be according to the Proverbe, *The travaile of mountaines, and the nativity of a mouſe.* No man could finde how it could deſerve not onely ſo great and long paines of ſo many great perſons, but even the leaſt imployment at all. And thoſe who underſtood Theologie, did deſire that it ſhould be once declared, what the Councell did underſtand by the power of retaining ſins, which was made one part of the Sacerdotall power; becauſe they had declared the ſence of the other, which was to remit ſinnes. And others wondered at the declaration, that the inferiour *Orders* are onely degrees unto the ſuperiour, and all unto Prieſthood, in regard it doth appeare, in the ancient Eccleſiaſticall ſtory, that thoſe who were ordained to any miniſtery or charge, where, for the moſt part, perpetually entertained in the ſame, and the aſcending to an higher degree happened very ſeldome, and was uſed only in caſe of neceſſity, or great utility. None of the ſeven Deacons inſtituted by the Apoſtles, aſcended any higher; and in the ancient Church of *Rome* it ſelfe it doth not appeare, that the Deacons, whoſe office was to heare the confeſſions of Martyrs, did paſſe to the title of Prieſthood. The ordination of Saint *Ambroſe* to be a Biſhop, of Saint *Hierome*, Saint *Auſtin*, and Saint *Paulinus* to be Prieſts, and of Saint *Gregory* the Great to be a Deacon is deſcribed, without mention of any paſſage by other degrees. They did not blame the uſe begun in later times, but they marvailed that they did alleadge it as a thing alwayes uſed, whereas the contrary was manifeſt.

The Decree, that the miniſters of the *Orders* from a *Deacon* to an *Oſtiary* ſhould not be exerciſed, but by perſons promoted to thoſe proper *Orders*, made a faire ſhew; but it ſeemed a thing hard to be obſerved, that, in no Church

Church, none might ring the bels, or open and ſhut the doores, but the ordinary *Oſtiaries*, nor light the lamps, and candles, but the *Accolites*, who were to exerciſe thoſe manuall function, that they might aſcend to Prieſthood. And it ſeemed ſome contradictions, to have determined abſolutely, that thoſe miniſteries ſhould not be exerciſed but by perſons ordained, and afterwards commanded the Prelats to reſtore them, as much as conveniently they could. For obſerving the abſolute Decree, it is very neceſſary; that, where perſons ordained cannot be had for exerciſe of thoſe functions, they muſt not be exerciſed at all: and if they may be exerciſed without *Orders* in places where perſons ordained cannot be found, the abſolute definition might have better been omitted. In the Decree of the ordination of Prieſts, it was thought very convenient to preſcribe that condition, that they ſhould be able to teach the people; but this did not ſeem very coherent with that other doctrine and uſe, that cure of ſoules is not eſſentiall to Prieſthood, ſo that to be able to teach the people is not neceſſary to thoſe Prieſts who meane never to take that cure upon them. And to make it a neceſſary condition in the minor orders, to underſtand the Latine tongue, was to ſhew that this was not a generall Councell of all Chriſtian Nations, in regard this Decree could not be univerſall, and binde the Nations of *Africa*, *Aſia*, and of a great part of *Europe*, where the Latine tongue never had place.

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The ſixth *Anathematiſme* was much noted in *Germany*; in which an Article of faith was made of *Hierarchie*; which word and ſignification thereof is aliene, not to ſay contrary to the holy Scriptures; and though it was ſomewhat anciently invented, yet the author is not known; and in caſe he were, yet he is an Hyperbolicall writer, not imitated in the uſe of that word, nor others of his invention, by any of the ancients: and following the ſtile of CHRIST our LORD, and of the holy Apoſtles, and Primitive Church, it ought to be named not *Hierarchie*, but *Hierodiaconia*, or *Hierodoulia*. And *Peter Paul Vergerius* in *Valtelina* did make this and other objections againſt the doctrine of the Councell the ſubject of his Sermons, relating the contentions betweene the Biſhops, and detracting as much as he could, not onely by words, but by letters alſo to the other Proteſtant and Evangelicall Miniſters; which they read in their Churches to the people. And howſoever the Biſhop of *Como*, by order from the Pope, and the Cardinall *Morone* uſed all meanes, and in a very extraordinary manner alſo, to cauſe him to depart out of that Countrey; yet they were not able to effect it.

Vergerius maketh objections againſt the Councell.

Concerning the Decree of reſidence, of which every one diſcourſed, and expected ſome good reſolution, becauſe there was ſo much ſpoken and written of it, that nothing ſeemed to be more in voice then that, men marvailed that in the end that was pronounced for a deciſion of the controuerſie, which was plaine to every one, that is, that not to reſide was a ſinne, except there were a lawfull cauſe: as if it were not evident unto all by the law of Nature, that whoſoever doth abſent himſelfe from his charge, of what kinde ſoever it be, without a lawfull cauſe, doth ſinne.

The Spaniſh Prelats complaine of the Cardinall of *Loraine*.

The ſucceſſe of this Seſſion tooke away the intelligence, held untill then betweene *Loraine* and the Spaniards. For theſe complained that they were abandoned in the matter of the Inſtitution of Biſhops, and of Reſidence, in which

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which he had very often told them that he was of their opinion, and promiſed to labour effectually to cauſe that doctrine to be decreed without making any condition. They added that there was no hope he would be conſtant in any other promiſe, and that the Pope by making him beleeve that he ſhould be Legat of *France*, had wonne him. And other things they ſaid, which were little for his honour. On the other ſide he juſtified himſelfe, ſaying, that the offer was made unto him to make his friends miſtruſt him, and that his anſwere was, that hee would not hearken unto it, before a reformation were made in Councell. Notwithſtanding it was not beleeved that hee would perſevere in the ſame opinion, no not ſo much as in this matter.

The Legats, deſirous to finiſh the Councell, did, ſo ſoone as the Seſsion was done, uſe meanes to facilitate the reſidue; which, for matter of faith, was *Indulgences*, invocation of Saints, and Purgatory. And to this end they elected tenne Divines, two Generals of Friars, and two for every Prince, that is for the Pope, *France*, (of which there were but a few remaining) *Spaine* and *Portugall*; charging them to conſider how the Proteſtants opinion in this matter might briefly be confuted. And themſelves being reſolved, meant to propoſe their owne opinions in generall Congregation, by which the Canons might be compoſed, at the ſame time when Matrimony ſhould be handled, that they might quickly diſpatch thoſe matters, without hearing the diſputes of the Divines, as formerly they had done.

The reformation of Princes.

In matter of reformation they treated with the Cardinall of *Loraine*, the Emperours and Spaniſh Ambaſſadours, to be content that the reformation of Princes might be propoſed alſo: who ſaying is was fit that abuſes ſhould be remooved, whereſoever they were, the Articles were collected, and hope conceived that all that remained might be decided in one Seſsion only. But the Spaniſh Ambaſſadour, for many reſpects of his King, did not like that haſte, and therefore did croſſe it, with many difficulties. Firſt he propoſed, that it was neceſſary, before the Councell ended, to uſe meanes to bring the Proteſtants thither, alleadging that it would be labour in vaine, if the Decrees were not accepted by them, and that there was no hope they would accept them, if they were not preſent in Councel. The Legats anſwered that the Pope had done for his part whatſoever was fit, wrote letters, and ſent expreſſe *Nuncij* to them all, ſo that nothing could be done to make their contumacie more manifeſt. The Count anſwered, that he did not deſire it ſhould be done in the name of his Holineſſe, becauſe that would not only not cauſe them to come, but make them more averſe, but in the name of the Councell, with convenient promiſes, and interceſsion of the Emperour. Whereunto the Legats replying, that they would conſider on it, they gave an account thereof to the Pope, that he might uſe meanes in *Spaine* to divert ſuch diſcourſes, and to perſwade the ending of the Councell. The Count deſired alſo that the Divines might ſpeake publikely, according to the uſe, concerning the particulars of *Indulgences*, and of the other matters, perſwading the Prelates, that the order might not be changed, nor the reputation of the Councell diminiſhed, by omitting the examination of thoſe things, which had more need of it then any other.

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The Pope was much troubled with these advises, and the rather, because *Don Lewis d' Avila*, and *Vargas*, the Ambassador resident with him, had given their words, that the King would be content that the Councell should end. And calling them unto him, he made a great complaint of the Counts proposition. For the Protestants, he said that none did more desire to reduce them to the Church then he; that the actions of his predecessors for fourty yeeres, and his owne, by sending *Nuncij* expresly to them all, not regarding the dignity to which he did subject himselfe and the Apostolique *Sea*, was a manifest argument thereof; that he had used the Emperors mediation, and the perswasion of all Catholike Princes; that he is assured that the hardnesse of their heart is voluntary, resolute, and obstinate; and therefore that the reducing of them, was no more to be thought of, it being impossible, but the preservation of the obedient; that so long as there was any hope to regaine them, the time did require that all meanes should be used to please them, but that being lost, it was necessary to keepe the good, to make the division strong, and the parties irreconciliable, that the affaires of their King did require the same, as he would perceive too late, in case he should temporize in *Flanders*, and use termes of mediocrity, that the King should remember what good effects his severe executions, at his entrance into *Spaine*, had produced, whereas if he had proceeded remisly, and desired to gaine the favour of the Protestants, he would have felt those accidents which are seene in *France*. He complained also that the Count would prescribe a manner of handling matters of Theologie, and determine when they would be well digested. And last of all he tolde them of their promise, that the King was content that the Councell should end, which the Count did labour to hinder. The Ambassadors having excused the Count, and confessed what they had said concerning the Kings pleasure for the end of the Councell, the Pope was satisfied, so that they would be content he should say so much, where he thought it necessary. Whereunto they consenting, he gave order to his *Nuncio* in *Spaine* to complaine to the King, and to tell him, that hee could not penetrate the cause, why the Ambassadors of his Majesty in *Rome* and *Trent* should speake diversly, and, which imported more, himselfe doing what he could to gratifie him, for what cause he should be crossed by his Ministers, in regard, the Councell continuing, he was hindred from doing his Majesty many favours and graces, that if for his affaires in *Flanders*, or for the interests of the Emperor in *Germany*, he did desire any thing of the Councell, he might know by experience how hard it was to effect it in *Trent*; that they might promise themselves any thing from him, and that he was resolute, so soon as the Councell was ended, to send into all Provinces to provide for the particular necessity of every one, whereas in *Trent* generall provisions only can be made, which have infinite difficulties, to be fitted to every place.

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But the perswasions of the Count in *Trent* made a division of the Prelats, some desiring that those matters might be exactly disputed; and the rather, because very little or nothing was spoken of them by the Schoolemen, and whereas for other things handled in the Synode there were decisions either of other Councels, or of Popes, or an uniforme consent of Doctors,

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theſe were wholly obſcure, and in caſe they were not cleered, it would be ſaid that the Councell had failed in the moſt neceſſary things. Others ſaid, that if there were ſo many difficulties, and contentions in the thing decided already, how much more might they be feared, that in theſe which are full of obſcurity, where there is no ſufficient light ſhewed by the Doctors, they might go *in infinitum*, becauſe they had a large field, in regard of many abuſes which were crept into them for matter of gaine, and of the difficulty wch would ariſe about the interpretation of the Buls, eſpecially of the words uſed in ſome, of penalty, and guilt; as alſo of the manner of taking Indulgences for the dead. Therefore in theſe, and the adoration of Saints the uſe only might be handled, and the reſidue omitted, and for *Purgatory*, the opinion of the heretikes condemned only; otherwiſe there would be no end of the Councell, nor any reſolution of this difficulty. While theſe opinions went about, concerning theſe matters reſerved for the laſt, the Legates reſolved to diſpatch that of Matrimony, and to abbreviate the time of the Seſſion, and to hold it the 19 of Auguſt at the lateſt. This pleaſed the Cardinall of *Loraine* very much: who having received anſwer out of *France*, that he ſhould give the Pope ſatisfaction in going to *Rome*, did reſolve ſo to do in the end of that moneth, ſo that the Seſſion was celebrated And he was forced to joyne with the Pope and his adherents; not only in regard of the order received out of *France*, but becauſe the Imperialiſts and Spaniards did miſtruſt him for the ſucceſſe of the laſt Seſſion.

The Card. of *Loraine* reſolveth to goe to *Rome*.

The 22. of July the *Anathematiſmes* were given forth, not much differing from the manner, in which they were eſtabliſhed afterwards. The greateſt variety was, that untill then they had not ſufficiently conſidered of the fift, condemning divorces, allowed in the *Code* of *Juſtinian*: which *Anathematiſme* was added, at the laſt inſtance of the Cardinall of *Loraine*, to oppoſe the opinion of the Calvaniſts And it was eaſily received, becauſe it was conformeable to the Schoole doctrine, and the Popes Decrees. But in that of divorce for adultery, the compoſers of the Canons did forbeare to uſe the word *Anathema*, fearing to condemne that opinion which was of Saint *Ambroſe*, and of many Fathers of the Greeke Church, Notwithſtanding the others thinking that it was an Article of faith, and almoſt all the Fathers conſenting thereunto, the Canon was reformed, and the *Anathema* added, condemning thoſe that ſay, that the bond is diſſolved by adultery, and that either of the parties may contract another Matrimony whileſt the other liveth; which Canon received afterwards another mutation, as ſhall be ſaid in due place.

In the Congregations following, the things propoſed were eaſily diſpatched; but almoſt all the Prelates left thoſe, and ſpake of clandeſtine mariages, though neither the time, nor the place did comport it, and the difference of opinions therein began to be diſcouered. In the Congregation of the foure and twentieth day in the morning, the Biſhop of *Cortona* Ambaſſador of the Duke of *Florence*, was received; who made a ſhort ſpeech of the devotion of his Prince towards the Apoſtolike *Sea*, and favour to the Synod: and thanks were given him. In the congregatiõ that night; the French Ambaſſadors cauſed a requeſt to be read, in the name of their King, that children which are in the power of their parent, might not, without their conſent, either marry or betroth

The Ambaſſadour of *Florence* is received in Congregation.

betroth themſelves or, if they did, that it ſhould be in the power of the parents to make void, or ratifie the contract, as they pleaſed. And the ſame day the Fathers were admoniſhed to put up in writing to the deputies the abuſes obſerved by them, in the matter of Matrimony. 1563

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The voyces being all given concerning the *Anathematiſmes*, two Articles were propoſed; the promotion of maried perſons to holy Orders, and the making void of clandeſtine mariages. For the former, the Fathers did uniformely, and without difficulty, agree on the negative; and the Archbiſhop of *Prague*, and the Biſhop of *Five Churches*, who perſwaded them to think better on it, were ſcarcely heard. But the other of clandeſtine mariages did not paſſe ſo. For one hundred thirty and ſixe did approve the making it void, fifty ſeven did contradict, and ten would not declare themſelves. The decree was compoſed according to the opinion of the *Major* part, that howſoever clandeſtine mariages were good, ſo long as the Church did not make them void (and therefore the Synod doth anathematiſe him that thinketh the contrary) yet the Church hath always deteſted them. And now, ſeeing the inconveniences, the Synod doth determine, that all perſons which hereafter ſhall either marry or betroth themſelves, without the preſence of three witneſſes at the leaſt, ſhall be unable to contract, and whatſoever they doe therein ſhall be void. And another Decree followed, commanding the *Banes*, but concluding, that if there were a neceſſity to omit them, the mariage might be made, ſo that it were in preſence of the Pariſh Prieſt, and of five witneſſes at the leaſt, publiſhing the *Banes* afterwards, upon paine of excommuuication, to him that ſhould contract otherwiſe. But that great number which would make void the ſecret mariages, was divided into two parts, ſome following the opinion of thoſe Divines who grant power to the Church to make the perſons uncapable, and ſome, thoſe who ſay it may make the contract void. And the Legats themſelves did differ. *Morone* was content with any reſolution, ſo that they might diſpatch. *Varmienſe* thought that the Church had no power therein, and that all mariages, celebrated in what manner ſoever, with conſent of the perſons contracting, are good. *Simoneta* ſaid, that the diſtinction of the contract of Matrimony from matrimony it ſelfe, and the giving of power to the Church over the one, and not over the other, ſeemed to him ſophiſticall, and chimericall, and was much inclined not to make any innovation.

Two new Articles concerning maried Prieſts and ſecret mariages.

Concerning the abuſes of Matrimony, many Prelats conſidered that the cauſes to hinder mariages, and to make them void, though they were contracted, were ſo many, and happened ſo often, that there were but few not ſubject to ſome of thoſe defects; and (which was more) perſons did contract ignorantly; either not knowing the prohibition, or the fact, or by forgetfulneſſe, in whom after they knew the truth, many perturbations and ſcruples did ariſe, as alſo ſuits and contentions about the legitimation of the iſſue, and the dowries. The impediment of kindred, contracted in baptiſme, was particularly alleadged for a very great abuſe, becauſe in ſome places twenty or thirty men were invited for God-fathers, and as many women for God-mothers, between all which, by Eccleſiaſticall conſtitution, a ſpirituall kindred doth ariſe, who oftentimes, not knowing one ano-

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ther, do joyne in marriage, Many thought fit to take away this impediment; not becauſe it was not well inſtituted at the firſt, but for that, the cauſe of the inſtitution being ceaſed, the effect ought to ceaſe alſo. They conſidered that the goſſips were then ſureties to the Church, for the faith of the children baptized, and therefore were bound to inſtruct and catechize them, according to their capacity, by which meanes they converſed often, and familiarly with them and their parents, as alſo the goſſips among themſelves, by which means a certaine relation did ariſe betweene them, which was a cauſe to be reverenced and ſufficient to prohibite marriage, as all other cauſes to which reverence ought to be borne. But afterwards, when uſe had aboliſhed whatſoever was reall herein, and the God father did ſeldome ſee his God-childe and had no care at all of his education, the cauſe of reverence ceaſing, the relation ought not to have place.

Likewiſe the impediment of Affinity by fornication, nullifying marriages untill the fourth degree, it being a matter of ſecrecy, did enſnare many, who, underſtanding the truth after the marriage, were filled with perturbations. For kindred of Conſanguinity, and Affinity, it was ſaid, that the ſame account beeing now not made of it, as formerly was, and, amongſt great perſonages, ſcarce memory kept of the fourth degree, that might be omitted alſo. Wherein there was much diſputation. Some thought, that as ſeven degrees of kindred did binder marriage for many hundred yeeres, and *Innocentius* the third tooke away three of them at once, reſtrayning the impediment unto the fourth, alleadging very common reaſons, that there are foure Elements, foure humours of mans body, ſo, it appearing now that foure cannot be obſerved without many inconveniences, the impediments may be more juſtly reſtrained to the third. Others contradicted, and ſaid, that ſo they might hereafter proceede further, and at the laſt come to that of *Leviticus*; which would cheriſh the opinion of the Lutherans; and therefore did conclude that it was dangerous to innovate. Which opinion, after much examination, did prevaile. Some thought that the impediment of fornication, being ſecret, ought wholly to be taken away: But they prevailed not, becauſe there appeared an inconvenience, in regard that many things which firſt are ſecret are publiſhed afterwards.

Many were of opinion that no novity ſhould be made in theſe prohibitions, but power granted to Biſhops to diſpence, and maintained that it was better to give it to them then to the Court, becauſe they knowing, better the merits of the fact, and the cauſes, may exerciſe diſtributive juſtice more exactly herein. They ſayd, the Court of *Rome* doth often give diſpenſations to perſons not knowne, who obtaine them by deceipt, and that diligence cannot be uſed in regard of the diſtance of the Countreys. Beſides the world being ſcandalized, thinking they are not given but for money, that infamy ought to be taken away. The *Spaniards*, and *French-men* laboured effectually herein; but the *Italians* ſaid they did it to make themſelves all Popes, and not to acckknowledge the Apoſtolike *Sea*, and that the difficulty of ſending to *Rome*, and negotiating the expedition with paines and coſt was profitable, becauſe by that meanes, few mariages were contracted

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in degrees prohibited; whereas, if by granting power to Bishops there were a facility herein, the prohibitions would, in a short time, come to nothing, and to the Lutherans would gaine their opinion. Hereupon a common inclination grew, that none should be dispensed with, in these prohibitions, but for a very urgent cause; into which opinion those who could not prevaile for the Bishops did enter also, thinking it was more for their credit, if that which was forbid to them, were not granted to others. After many discourses in the Congregations, it was resolved to restrain spirituall kinred, and affinity by mariage and fornication, and to confine the dispensations also within the limits which shall be spoken of in reciting the Decrees. 1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

There was some contention also about the ninth point, in which Superiours are forbid to force their subjects to marry, with threats and punishment, naming the Emperour, and Kings. *Gulielmus Cassodorus*, Bishop of *Bacellona*, opposed, and said, that it could not be presupposed, that great Princes would medale in marriages but for great causes, and for the publique good; that threats and punishments are then bad, when they are used contrary to order of law, but penall precepts, conformeable to the law, are just, and cannot be reprehended. If there be any case (he said) in which the Superiour may justly command a marriage, he may force the celebration of it, by penall commands, alleadging also that it is a thing decided by the Divines, that just feare doth not cause an involuntary action. He desired that lawfull causes might be excepted, and those Superiours only comprehended in the Decree, who do compell against justice, and order of the law; saying, that many cases may occurre, in which the necessity of the publike good doth require the celebration of a marriage, which he that would say, that a Prince could not command, and cause, by compulsion, to be celebrated, should offend against the law of God and man. To this reason he added an example, that, in the yeere 1556. the second of January, *Paul* the 4. sent a monitory to Dame *Joan* of *Arragon* wife of *Ascanius Columna*, that she should not marry any of her daughters without his leave, or, if she did, the matrimony, though consummated, should be void; which that most wise and sincere Pope would not have done, if Princes had not power to marry their subjects, in case of the publike good. Whether one may be forbid or forced to marry.

In the point of not mentioning Princes he was followed by many, and the name of the Emperour, Kings, and Princes, was taken away. But for the residue he was much opposed, with this reason only, that Matrimony is an holy thing, in which the Secular power hath no authority, and if there be any lawfull cause to compell any to marry, it must be done by the Ecclesiasticall power only. The relation of the monitory of *Paul*, raised a great whispering in the Congregation, and afterwards gave matter of divers discourses. Some said he did it, not as Prince, but as Pope, and that he had reason to doe it, in regard *Ascanius Columna* being a traytor unto him, he would not have him get new adherences, by marriage of his daughters, by which he might be confirmed in his contumacie. Others said, that the Pope, as Vicar of CHRIST, hath no traitors in temporal matters, and that the opinion of those who thinke that mariages may be made void by Apostolike authority is not well grounded, except it be by course of law, or generall ca-

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nons, but not for particular perſons, and that, for this, neither reaſon can be brought, nor example found. Some denied, that one might ground himſelfe upon ſuch actions of Popes, which ſhew rather how farre the abuſe of their power can ſtretch, then how farre the lawfull uſe thereof is extended.

And there was no leſſe difficulty, becauſe the Decree did comprehend fathers, mothers, and other domeſticall Superiours, who might compel their children, eſpecially daughters, to marry: and it was conſidered, that to come to excommunication, in caſes of this kinde, was very hard. Yet thoſe who before had defended, that children were bound to obey their Fathers in this particular, did maintaine it. A temper was propoſed, that having firſt commanded politique Superiours upon paine of excommunication, domeſticall Superiours ſhould be admoniſhed not to compell their children againſt their will. But the ſame men ſtill oppoſed, and ſaid, it was not juſt to take from fathers that power which God hath given them. And, in the end, it was reſolved to take this part quite away. But the Biſhop of *Barcellona*, and ſome few beſides, were not of the ſame opinion, as to ſay, that as the authority of Fathers and other domeſticall Superiours over mariages was manifeſt, or, at the leaſt, not to be doubted, and therefore not to be ſpoken of, ſo the ſame conſideration ought to be had of the authority of Politique Superiours.

The Congregations, aſſembled to diſcuſſe this point, being ended, the laſt whereof was the laſt of July, they beganne to ſpeake privately of ſecret mariage. And both parties continuing in their own opinions, ſome ſaid that the difficulty doth preſuppoſe a doctrine of faith, and therefore cannot be determined, being contradicted by a notable number. This troubled them much who deſired they ſhould be made void, and thought that they were wholly barred from all poſſibility to obtaine it.

A difficulty about cenſuring the Arch-biſhop of *Toledo*.

At this time a difficulty aroſe, though private, yet very contentious. For the Deputies concerning the *Index*, having given the worke of *Bartholomeus Caranza*, Arch-biſhop of *Toledo*, to ſome Divines, to be peruſed, and they having related that nothing worthy of cenſure was found in it, the Congregation did approove it, and made publique faith thereof at the petition of his Agent. But becauſe the booke, and the author were under the cenſure of the Inquiſition of *Spaine*, the Secretary *Caſtellunne* complained to the Count of *Luna*, and the Count to the Fathers of that Congregation, deſiring a retractation. The Fathers not inclining to revoke the Decree, becauſe they thought it juſt, the Biſhop of *Lerida*, either mooved by the Count, or for ſome other cauſe, beganne to ſpeake againſt it, and to taxe it, alleadging places of the booke, which, by a bad interpretation, did ſeeme to deſerve cenſure, and, which was more, touched the judgement and conſcience of thoſe Biſhops. The Arch-biſhop of *Prague*, the chiefe of that Congregation, in defence of himſelfe and his colleagues, complained to the Legates, deſiring they would ſhew themſelves in the buſineſſe, and proteſting not to aſſiſt in any publique act, untill the Congregation had due ſatisfaction. The Cardinall *Morone* interpoſed, and made peace, with theſe conditions, that no other copy of the faith made ſhould be given, and that *Lerida* ſhould give

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satisfaction of words to the Congregation, and to *Prague* in particular, and that all should be forgotten on both sides. And the Count of *Luna*, with unresistable entreaties, got the testimony out of the hands of the Agent of *Toledo*: and so this stirre was appeased. 1563 PIUS 4 FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The Legates gave the Articles of reformation to the Ambassadours, in number thirty eight, that they might commend to their consideration what pleased them, before they were given to the Fathers to be dicussed; which Articles were divided, and one halfe allotted for the next Session, and the other for the Session following, for the reasons which shall be related hereafter. The Count of *Luna* perswaded the other Ambassadours, to demand, that deputies might be elected for every Nation, to consider what was fit to be reformed, because the modell given by the Legates, made for the interests of *Rome*, could not be fitted to other countreys. But the Cardinall of *Loraine*, and the *French* and *Portugal* Ambassadours contradicted, alleadging that every one might speake his opinion concerning the Articles proposed, and propose others, if there were cause, so that there was no need to give this distaste to the Pope, and the Legates, who could not endure to heare speech of Nations in Councell. And the Imperialists comming to this opinion also, the Count retired, but said that divers considerations ought to be had concerning those which were proposed. 38. Articles of Reformation.

The Cardinall of *Loraine* counselled the Legats to facilitate the businesse, and to take away those points which might seeme to cause contradiction, adding, that the fewer matters were handled, the better it would be; whereat *Varmiense* seemed to wonder, *Loraine* asked him, whether he marvailed because he saw not in him that heat and desire of reformation, as he had made demonstration of at other times: and he added, that his desire was the same, and had the same disposition of minde to imploy all his force therein, but that experience hath taught him, that not only nothing perfect or ordinary can be done in Councell, but that every enterprise in that businesse turneth to the worst. He perswaded also the Count of *Luna* not to seeke to hinder the reformation totaliy, but if there were any thing which did not fully satisfie him, he should make the particular knowne, and he would labour that contentment should be given him. The Card. of *Loraine* excuseth the change of his minde.

The Emperors Ambassadours first of all gave their answere in writing, the one and thirtieth of July; in which they said, that, desiring a generall reformation in the head and members, and having read the Articles exhibited, they had added some things, and noted others, desiring they might be corrected accordingly, and discussed by the Fathers. And because the Emperor, with the Ambassadours of many Princes, did hold a Diet in *Vienna*, to handle many things concerning the Councell, thy hoped they would take it in good part, if, having received a new commandement from his Majesty, they should present other considerations also; and that, for the present, they added eight Articles to those proposed by them. 1. That a serious, and durable reformation of the *Conclave* might be made in Councell. 2. That alienation of Ecclesiasticall goods, without the free and firme consent of the Chapter, might be prohibited, and especially in the Roman Church. 3. That *Commendaes*, and *Coadjutories*, with future succession, might be taken away. The Imperialists adde 8. Articles more.

4. That

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4. That Schooles and Univerſities might be reformed. 5. That the Provinciali Councels may be injoyned, to correct the Statutes, of all the Chapters; as alſo that authority may be given to reforme *Miſſals*, *Breviaries*, *Legends*, and *Graduals*, not in *Rome* onely, but in all Churches. 6. That Lay-men may not bee cited to *Rome* in the firſt inſtance. 7. That cauſes may not be remooved from the Secular Court to the Eccleſiaſticall, upon pretence of juſtice denyed, before the trueth of the ſupplication bee knowne. 8. That *Conſervators* may not be given in prophane matters.

And, concerning the Articles exhibited by the Legates, they noted many things, part whereof, as being but of ſmall weight, it will not be amiſſe to omit. Thoſe of importance were. That Cardinals might be choſen out of all Nations, that the Univerſall Biſhop might be created by Electors of all Countreys. That the proviſions againſt *Penſions*, *Reſervations* and *Regreſſes*, ſhould be extended, not onely to the future, but to thoſe alſo that are paſt. That the kiſſing of the Goſpel ſhould not be taken from the Emperour and Kings, who ought to defend it. That it may be declared what ſecular affaires are prohibited to Eccleſiaſtiques, that that which is determined in the decree of Reſidence may not be croſſed. That, in the Article of not laying taxes upon the Eccleſiaſtiques, the cauſe of Subſidie againſt the *Turkes* and other Infidels may be excepted, The propoſition, though it were of hard digeſtion, did not ſo much trouble the Legats, as the doubt mooved, that ſome extraordinary demand for change of *Rites*, received by the Church of *Rome*, and relaxation of Precepts *de jure Poſitivo*, might come from the Diet in *Vienna*.

The Articles exhibited by the Frenchmen.

The third of Auguſt the Frenchmen gave their obſervations, the eſſentiall whereof were. That the number of Cardinals might not exceed foure and twenty, and that no more might be created, untill they were reduced to that paucity. That they may be elected out of all Kingdomes, and Provinces. That there may not be two of one Dioceſſe, nor more then eight of one Nation. That they may not be leſſe then thirty yeeres of age. That the nephew or brother of the Pope, or of any Cardinall living, may not be choſen. That Biſhoprickes may not be given them, that they may the better aſſiſt the Pope, and, that their dignity being equall, their revenew may be equall alſo. That none may have more then one Benefice, and that the difference, knowne to the good ages of the world, of Benefices ſimple, and with cure, compatible, and incompatible, may be taken away; and that he that hath two at this preſent, may chooſe and keep one only, and that within a ſhort time. That reſignations in favour may be quite taken away. That it may not be prohibited to conferre Benefices only upon thoſe who have not the language of the Countrey, becauſe the Lawes of *France* forbid all ſtrangers, without exception, to have Offices, or Benefices in the Kingdome. That the criminall cauſes of Biſhops may not be judged out of the kingdom, in regard of the ancient priviledge of *France*, that none may be judged out of the Kingdome, neither voluntarily, nor by compulſion. That power may be reſtored to Biſhops to abſolue from all caſes, without exception. That to take away ſuits for Benefices, *preventions*, *reſignations* in favour, *mandats*,

dats, expectatives, and other unlawfull wayes to obtaine them, may be remooved. That the prohibition, that the Clergie may not meddle in ſecular matters, may be expounded, ſo that they may abſtaine from all functions, which are not holy, Eccleſiaſticall, and proper to their order. That the *Penſions*, already impoſed, may be taken away and abrogated. That, in cauſes of Patronage, the ancient inſtitution in *France* may not be changed, to give ſentence in the *poſſeſſory*, for him who is in the laſt poſſeſſion, and in the *petitory*, for him who hath a lawfull title, or a long poſſeſſion. That the Lawes of *France* concerning Eccleſiaſticall cauſes may not be prejudiced, that the *poſſeſſory* may be judged by the Kings Judges, and the *petitory* by the Eccleſiaſtiques, but not out of the Kingdome. That none may be aſſumed to be Canon in a Cathedrall Church, before he be five and thirty yeeres old. That, for the Article containing the reformation of Princes, the Clergie may be firſt intirely reformed in this Seſſion, and that which belongeth to the dignity and authority of Kings and Princes, may be deferred untill the next, and that nothing may be decreed therein, before they the Ambaſſadours be heard, who have given account to the King of thoſe and other things, which they had to propoſe. But howſoever they propoſed theſe difficult matters, yet they ſaid indifferently to all, and with affectation, that it might be publiſhed, that they would not be earneſt in any thing, but that which concerneth the rights and Secular affaires of their Kingdome. The Venetian Ambaſſadors propoſed, that the Article of Patronage might be ſo accommodated, that it might not give occaſion of novity, concerning thoſe who belong to their *Republique* and Prince. The Ambaſſadours alſo of *Savoy* and *Tuſcane* made the ſame inſtances.

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At this time the Imperialiſts received commiſſion from their Prince, to mediate, as they did, with the Legats, that, in the review of the *Index* of the bookes, mention might not be made of the *Receſſes*, of the Diets in *Germany*, formerly prohibited by *Paul* 4: and the Emperors order was ſomewhat ſharpe, that, inſtead of handling of Eccleſiaſticall matters, they would not give a forme to the policy of *Germany*, and occaſion to the people who are governed by ſuch Lawes, to aliene themſelves from the Church of *Rome* againſt their wills: Anſwere was made, that the Biſhop of *Prague*, one of them, who was chiefe of the Congregation, might know whether any ſpeech were made of it, and if there was not, his Majeſty might truſt to his Ambaſſadour, who, in all cauſes concerning him, ſhould be favoured both by them, and by the Pope.

The ſeventh day the Spaniſh Ambaſſadour preſented his writing; in which he ſaid he was well ſatisfied with all the Articles, and would not demand any thing, but only the change of ſome words, which ſeemed unto him to be ſuperfluous, or that they may be expounded better. And he touched almoſt all things which did enlarge the authority of Biſhops, ſo moderating the words, that the alteration did not ſeem to be ſubſtantiall, but that indeed he did rather reſtraine then augment it. He made requeſt alſo that they would treat of the *Conclave*, ſaying, that the King did much deſire it; as alſo that the part concerning ſecular Princes might be deferred untill another Seſſion. After he had exhibited his writing, he deſired the Legats, that,

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that, ſo ſoone as the voices were given concerning the things propoſed, they would depute Fathers of every Nation, to collect what they ſhould thinke neceſſary for reformation of their Countreys; that all might be determined with a generall ſatisfaction. *Morone* anſwered in the name of all, that they could not conſent to proceed otherwiſe then they had done hitherto in other matters. Wherein many things being ſaid by both parties, by the Count to intimate the Councell was in ſervitude, and by the Cardinall to ſhew the liberty, *Morone* added, that no man could complaine that he was hindered in his liberty of ſpeaking. The other replyed, that he could not beleeve that any thing or worth had beene done by them, and did not forbeare to tell him, that there was a great murmuring in the Councell for the particular Congregations aſſembled a few dayes ſince, and that it was ſuppoſed that they were made to get voices. The Legates ſaid, it was their duty, in the diverſity of opinions, to underſtand the truth, and to accommodate the differences, that matters may be determined with union. The Count replyed, that it was well if it were ſo, but that *Italians* only were called, except two or three Spaniards, and as many French men, who differed from others of their Nations. The Legats defended themſelves that they were not called in proportion, becauſe there were an hundred and fifty Italians in Councell, and not above threeſcore of all other Nations. The Count ſeemed to be ſatisfied, and, being parted, ſaid to his Prelates, that the Legats having begun a diſcourſe to ſhew that eſteeme ought not to be held of Nations, had concluded it, ſhewing that they had ever held eſteeme of them.

The next day, the Legats and two Cardinals conſulted about the advertiſments of the Ambaſſadours, and how to amend the Articles of reformation, to be given to the Fathers and of the manner to be held in ſpeaking on them. In which *Loraine* having received new letters from *France*, and order, that both himſelfe, and all the other French Prelates ſhould favour the Popes affaires, wholly bent to ſatisfie the Legats, perſwaded them not to ſuffer ſo many points to be handled at once, but to divide them into parts, according to the ſubjects, and when one part was ended, to propoſe another, and to haſten the Seſſion, omitting all the things which had any difficulty, and concluding thoſe only, in which all, or the greateſt part would agree, and particularly not to propoſe, in the beginning, thoſe in which the Ambaſſadours did not conſent.

The eleventh day the Congregations began to be celebrated, to eſtabliſh the *Anathematiſmes*, and Decrees of Matrimony. The propoſition of the French-men was handled, to make mariages voyd, contracted by children, without conſent of parents, in whoſe power they are. And the firſt that gave voice, did differ in opinion. The Cardinal of *Loraine* did approve it, alleadging places of the Scripture which give to the Fathers power to marry their children, examples of mariages of the Patriarkes *Iſaac* and *Jacob*, adding the Imperiall lawes of the *Inſtitutions* and the *Code*, made by Chriſtian Princes of famous memory; as alſo the Canon under the name of *Evariſtus*, and another of the Councell of *Carthage*, produced by *Gratian*. And he related the inconveniences ariſing herein. The Arch biſhop of *Otranto* was of the contrary opinion; ſaying, that this was to give authority to Lay men over the

the Sacraments, and make them beleeve that the authority in maki g them voyd, doth depend on the paternall, not on the Eccleſiaſticall. Beſides, it would be a decree directly contrary to the holy Scripture, which expreſly ſaith, that a man ſhall leave father and mother, and cleave to his wife. And, for inconveniences, it will cauſe more, referring the ſonnes to their fathers in matters of conſcience. And if a father would not conſent to the mariage of a ſonne, who hath not the gift of continence, he would be infinitely perplexed. Nine and twenty ſpake in that Congregation, and twenty were of opinion to omit that matter. Of the others, ſome approoved the decree ſo generally, and ſome reſtrained it in ſonnes to the age of twenty yeeres, and of eighteene in daughters. 1563 PIVS 4 FERDINAND ELIZABETH. CHARLES 9 PHILIP 2

In the end of the Congregation the Venetian Ambaſſadours cauſed a demand of theirs to be read, concerning the *Anathematiſmes* of divorces; which did continue in ſubſtance. That their Republique having the Kingdomes of *Cyprus*, *Candie*, *Corfue*, *Zante*, and *Cephalonia*, inhabited by *Grecians* who have from all antiquity uſed to put away their wives for fornication, and take another, for which *Rite*, well known to the whole Church, they were never condemned, nor reprehended by any Councell, it was not juſt to condemne them in abſence, having not beene called to this Councell. Therefore that the Fathers would be pleaſed ſo to accommodate the Canons concerning this matter, that they may not do them any prejudice. The Legats having received this demand, did cauſe it to be propoſed, without making any particular examination of it; which cauſed a whiſpering amongſt the Fathers. And, in the next Congregatiou, ſome of them touched that ſtring repeating the ſame, that it was not juſt to condemne the *Grecians*, not heard, nor cited. The Arch-biſhop of *Prague* oppoſed, and ſaid, that, by the generall citation of all Chriſtians, they alſo were underſtood to be cited by the Pope, To which the Cardinall of *Varmia* added, that his Holineſſe had ſent particularly to invite the Duke of *Muſcovia*: and howſoever he knew not well that he had invited other of the Greeke Church in ſpeciall, yet it ought to be preſuppoſed that the whole nation was called, even by ſpeciall invitation, beſides, the generall intimation was ſufficient, as the Arch-biſhop had ſaid. Whereupon the Legates gave order to the Secretary, to take that particular out of the petition of thoſe Ambaſſadours, that is, that the *Grecians* have not beene called. But as well in regard of their propoſition, as of the opinion of Saint *Ambroſe*, they would not uſe the word *Anathema*, but found a temper, that is, not to condemne thoſe that ſay that Matrimony may be diſſolved for adultery, and another contracted, as Saint *Ambroſe* and ſome *Greeke* Fathers did ſay, and as the Eaſterne Church doth practiſe, but to anathematize thoſe who ſay, the Church may erre, teaching that the Matrimoniall bond is not broken by adultery, and that it is not lawfull to contract another, as the Lutherans doe maintaine. This forme was generally approved, and many did praiſe it, and ſay, that the Councell was aſſembled only to condemne the opinions of the Proteſtants, and not thoſe of other Nations. Yet ſome doubted how one could be condemned for ſaying the Church did erre in teaching an article, the contrary whereof was not condemned. But ſeeing that it was favoured by ſo many, they contented themſelves.

The Venetian Ambaſſadours doe exhibite a petition concerning divorces in the Greek Church.

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And becauſe the propoſition about the mariage of children did bring in a generall queſtion, whether the Church could make marriages void, all beganne to ſpeake of it, howſoever it had beene ſpoken of before, the voyces collected, and the Decree compoſed accordingly, as hath been ſaid. Cardinal *Madruccio* maintained the negative, and alleadged many reaſons and arguments, ſaying, that he would oppoſe in Seſſion alſo. And *Varmienſe*, and *Simoneta*, ſpake as much. But *Laynez*, Generall of the *Jeſuites*, having diſperſed a writing againſt the irritation, made a great confuſion, and gave occaſion to many to be more conſtant and courageous in the other opinion. And in the Congregations they beganne to anſwere one anothers reaſons, with ſuch prolixity, that the Legats were almoſt of opinion to omit that matter, for feare it would hinder the Seſſion, and the rather, becauſe the Biſhop of *Sulmona* did firſt make a queſtion in publique Congregation, whether that matter of irritation did belong to doctrine, or reformation. The Biſhop of *Segovia*, who ſpake after him, made a long diſcourſe, to ſhew, that it could not be reduced to doctrine, and therefore the major part having approoved the irritation, the Decree was as good as eſtabliſhed. The Biſhop of *Modena* followed the ſame opinion, adding, that to handle that matter by way of doctrine, would take away all meanes of making any reformation whatſoever. For in all Articles the ſame difficulty might be moved, whether the Church hath authority in that particular which is handled: which would be as much as to put armes into the hands of heretickes, and to take all authority from the Church, becauſe it would not be fit to meddle with that, to which it might be doubted whether their authority did extend. He complained, that the queſtion was moved by him, who ought to hold it, as cleere and decided. This opinion pleaſed many, who ſaid that it never ought to be diſputed whether the Church can doe any thing or not, but to take it for granted, that as all power in heaven & earth is given to Christ, ſo the Biſhop of *Rome*, his *Vicar*, hath as much, which being communicated by him to the general Councel, it muſt be defended that it wanteth no power to doe whatſoever is profitable, without diſputing whether it concerne doctrine or not. It pleaſed thoſe alſo who deſired the diſpatch of the Councel, perceiving that the difficulty promoted might hinder the ending thereof, and cauſe a ſcandall. And the Legats and principall Italians uſed perſwaſions that it might not be ſpoken of, in regard there was no cauſe to treat of it with the French-men or the Spaniards, who did all agree in opinion, that ſecret mariages ought to be made void. And many aſſemblies of Prelates were made both amongſt themſelves, and with the Legats, to this end: and it was reſolved that the decree ſhould not only not be placed with the doctrine, that it might not ſeem to be a part of it, but alſo that it ſhould not be ſo much as in a Chapter apart, leſt it ſhould be doubted whether it was held to be ſuch, or not, but that it ſhould be inſerted amongſt the articles of Reformation. And to remoove all difficulty the more, it was reſolved alſo ſo to compoſe the decree, that they might not ſeem to handle that matter purpoſely, but to mingle it with the firſt article of the abuſes, which was a proviſion to reſtore the *Banes*, ordained by *Innocentius* the third, which had been intermitted, and in decreeing as well this, as all the other conditions appropriated

priated for the publike forme of Matrimonie, it ſhould be added, in two words onely, as it were incidently, that all contracts made otherwiſe were void, and ſo paſſe it over, and ſay no more. And the Decree was compoſed according to this ſence, and reformed often, alwaies very intricately, and the later had ever more difficulty then the former. And amongſt other alterations, this point, eſtabliſhed before, as hath been ſaid, was changed, that the preſence of three witneſſes was ſufficient for abſolute validity, and, in ſtead of one witneſſe, it was ſubſtituted, that every Matrimony ſhould be void, contracted without the preſence of the Prieſt; a thing which did much exalt the Clergie, ſeeing that ſo principall an action, in Politicall and Economicall adminiſtration, which untill then had been only in the hands of thoſe to whom it belonged, came to be in the power of the Eccleſiaſticall order, there remaining no means to contract Matrimony, if two Prieſts, that is the Pariſh Prieſt, and the Biſhop intereſted for ſome reſpects, ſhal refuſe to afford their preſence. I have not found in the memorials who was Author of this great advantage; as many other particulars of importance are hid from me alſo, whereof I would willingly make mention. I ought not to defraud *Francis Beaupere*, Biſhop of *Metz*, of his due honor, who, thinking it impoſſible to reduce this Decree into ſuch a forme as might give ſatisfaction to various opinions, and to repreſent them with reſervations and nice diſtinctions, gave this forme to it, in which it now is; which as it is ſubject to divers interpretations, ſo it may befitted to divers opinions: and being propoſed in Congregation, it had one hundred thirty and three voyces in favour of it, and nine and fifty did expreſly contradict.

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The Legates informed the Pope of all, and demanded order what they ſhould doe, and whether the contradiction of ſuch a number, it being impoſſible to perſwade them, ſhould hinder the Decree, or not. There was a report, which cauſed ſome feare amongſt the Fathers, that the plague was in *Iſpruc*, and many would have been gone, if the Cardinal *Morone*, who thought that matters were in good terme to finiſh the Councel, had not uſed means to know the certainty; which was, that in *Sborri*, a place twenty miles diſtant of *Iſpruc*, many of thoſe poore men who laboured in the mines, died of a contagious ſickneſſe, by an infection taken under the ground, and that thoſe of *Iſpruc* had provided ſo well, as that there was no danger the diſeaſe would come thither, which alſo did decreaſe in *Sborri*

A vaine feare of the Plague in Trent.

A great ſtirre happened likwiſe amongſt the Italian Prelates, eſpecially thoſe of the Kingdome of *Naples*, and Dukedome of *Milan*. For the Catholike King moved the Pope, the moneth before, to place the *Inquiſition* in the ſtate of *Milan*, as it is in *Spaine*, and to make a Spaniſh Prelate the Head of it, alleadging, that in regard of the vicinity of places infected, it was neceſſary to uſe exquiſite diligence for the ſervice of God, and defence of religion: and notice came that the Pope had propoſed it in cõſiſtory, & did ſhew (howſoever it was contradicted by ſome Cardinals) ſome inclination to it, at the perſwaſion of Cardinal *Carpi*, who told him, that it was good for the keeping of the city of *Milan* in devotion towards the Apoſtolike *Sea*, which office he performed, for a ſecret hope, cheriſhed by the Spaniſh Ambaſſador, that, by this meanes, he ſhould gaine the favour of the King of *Spaine* to make him

A ſtirre about the *Inquiſition* in *Milan*.

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Pope. The Cities of that ſtate ſent *Sforza Morone* to his Holineſſe, and *Ceſare Taverna*, and *Principſuale Biſoſto* to the Catholike King, and *Sforza Brivio* to the Councell. This laſt to pray the Prelates, and Cardinals of that ſtate, to have compaſſion on their Countrey, which being brought into miſery, by exceſſive impoſitions, would be wholly diſſolved by this, which goeth beyond all, many Citizens preparing themſelves to abandon the Country, knowing well that that office had never proceeded in *Spaine* to heal the conſcience, but very often to empty the purſe, and for many other mundane reſpects alſo. And if the *Inquiſitors*, under the Kings owne eyes doe domineere ſo rigidly over their owne Countrey-men, how much more will they doe it in *Milan*, where remedy will hardly be found againſt them, towards perſons whom they care leſſe for. *Brivio* declared how the Cities were generally perplexed with this ill newes, deſiring the favour of the Prelates. This did more diſpleaſe the Prelates, then the Seculars, and thoſe of the Kingdome did doubt, that, the yoke being put upon the ſtate of *Milan*, themſelves ſhould not be able to keepe it from their owne neckes, as they had done before. The Prelates of *Lombardie* did aſſemble, and reſolve to write letters to the Pope, and to Cardinall *Borromeo*, ſubſcribed by them all. They tolde the Cardinall it would be a prejudice to him, to whom it belonged, as Arch-biſhop, to be the chiefe in that office. And they ſaid to the Pope, that there were not ſuch cauſes and reſpects as are in *Spaine*, to put ſo rigorous an Inquiſition amongſt them; which, beſides the evident ruine which it will bring to that ſtate, will be a great prejudice to the holy *Sea*. For he could not refuſe to place it in *Naples* alſo; which would give occaſion to other Princes of *Italy* to deſire the like. And that *Inquiſition* having authority over the Prelates, the holy *Sea* would have but little obedience from them, becauſe they would be forced to ſeek the favour of ſecular Princes, to whom by this means they would be ſubject; ſo that, in occaſion of a new Councel, he ſhould have but few Prelates whom he might truſt, and command freely. Neither ought he to beleeve that which the *Spaniards* might ſay, that the *Inquiſition* of *Milan* ſhould be ſubject to that of *Rome*; as doth appeare by their proceeding in the cauſe of the Arch-biſhop of *Toledo*, ever refuſing to ſend the Proceſſes which have beene demanded from *Rome*: as alſo do the *Inquiſitors* of the Kingdome of *Sicily*, who depend on *Spaine*. The Prelates, not content with this and other reaſons alleadged unto the Cardinals, and others of *Rome*, by every one to thoſe with whom he had any power, did perſwade alſo that ſome word might be inſerted in the Decrees of the Councell, in favour of the Biſhops, to exempt or ſecure them, and that the manner of making proceſſes in that matter might be decreed, which if it could not be done in the firſt Seſſion, it might in the next. *Morone* gave them hope of ſatisfaction. And this accident did trouble the Councell very much, becauſe many were intereſted in it. But newes came, a few dayes after, that the Duke of *Seſſa* had found the generall diſtaſte it gave, and for ſome reports which came unto him, doubting that the Dutchie of *Milan* would follow the example of the Flemings, who became *Gueux* (for ſo the reformiſts are called in thoſe Countries) by the attempt of putting the *Inquiſition* upon them, knowing it was not a fit time to handle that buſineſſe, ſtopped their Ambaſſadors, promiſing

promiſing to uſe meanes that the State ſhould have ſatisfaction. And, but for this, ſome matter of great moment had enſued. 1563

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The Pope ſeeing the anſweres of the Ambaſſadors, made to the Articles propoſed by the Legates, was more confirmed in opinion, that it was neceſſary to finiſh the Councell; otherwiſe he thought ſome great ſcandall would follow: and the inconveniences foreſeene he eſteemed but light, and feared ſome greater not thought on. But ſeeing the difficulty to make an end, without determining the things for which the Councell was called, if the Princes were not content, he reſolved to treat with all of them herein. Therefore he wrote concerning this to his *Nuncij* in *Germany*, *France*, and *Spaine*, and ſpake of it to all the Ambaſſadors reſiding with him, and to the Miniſters of the Princes of *Italy* alſo, uſing this conceipt, *that to him that aſſiſted to finiſh the Councell, he ſhould be more obliged, then if he had aſſiſted him with armes, in ſome great neceſſity.* To the Legates he anſwered that they ſhould principally ayme at the concluſion of the Councell, and ſhould grant whatſoever was neceſſary to obtaine it, admitting as few prejudiciall things as was poſſible: all which he did referre to their wiſedome who were in the buſineſſe, ſo that the Councell might end with ſpeed.

The Pope laboureth to finiſh the Councell.

But the Legates, having together with ſome of the Prelates, conſidered the propoſitions of the Ambaſſadours concerning the reformation, and at their inſtance, omitted ſixe of the Artieles propoſed, and reduced them to the number of two and thirty, the one and twentieth of Auguſt gave them to the Prelates to be diſcuſſed. *Loraine* made particular congregations of the French-men to examine them: which did pleaſe the Legates, not only becauſe they were aſſured he had the ſame intention as they had, but becauſe they were deſirous to accommodate them to the common ſatisfaction, before they were ſpoken of in generall Congregation. And they gave order to the Arch-biſhop of *Otranto*, and *Taranto*, and to the Biſhop of *Parma*, to aſſemble their adherents in their private houſes, to examine them, and ſearch what would give a generall contentment. This continuing ſome dayes, the *Spaniards*, and ſome *Italians*, who were not called, murmured very much, reſolving to make a mutinie, and to oppoſe.

And ſo do the Legates.

The Arch-biſhop of *Otranto* went to the Catholike Ambaſſador; who admoniſhed him, and ſaid, he was not willing to write to the King thoſe things that would not pleaſe him; and told him that thoſe particular congregations were ſo well underſtood by all Prelates, that he could not chooſe but give his Majeſty an account of it. He excuſed himſelfe, and ſayd all was for a good end, to facilitate the matter, and to provide againſt the difficulties before the generall Congregation. And the Biſhop of *Iſchia* comming juſt then to ſpeake with the Count, from the Cardinall *Morone*, hee told him the ſame, that thoſe private Congregations did diſpleaſe him, and that his opinion was they could not be for any other end then to cauſe difficulties, and to omit part of the Articles, that the Seſſion might ſooner be celebrated. Notwithſtanding the Legates, ayming more to ſatisfie the Prelates, then the Ambaſſadour, having conſidered on the things obſerved in thoſe particular congregations, held them for good advertiſements, and did alter and compoſe the Decrees, according to them.

The Spaniſh Ambaſſadour is diſpleaſed with the private congregations.

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But as they were about to give them forth, ſo corrected, the Archbiſhop of *Prague*, upon an inſtruction newly brought unto him by a Currier from the Emperor, did inſtantly deſire the Legats, not to propoſe the Reformation of Secular Princes, untill they had anſwer from his Imperiall Majeſty, and afterwards was ſeconded by the Count of *Luna*. The Legats were much perplexed herewith, conſidering that *France* firſt; and now the Emperor, and King of *Spaine* were not ſatisfied. And, on the other ſide, the common deſire of all the Fathers was, that the reformation ſhould bee made altogether. Whereupon being aſſembled in the houſe of *Navaggero*, who was ſick, they propoſed, whether all the reformation ſhould be put off, or only that part which concerneth Princes. *Loraine* was of opinion that only this ſhould be deferred, and the reſidue propoſed, which would have pleaſed, but that they doubted they ſhould make the Prelats afraid, that the ſecular reformation ſhould bee wholly omitted, whereby they might take occaſion to exclaime both privately, and in the publique Congregations. Whereupon they reſolved to ſatisfie the Ambaſſadors, deferring the reformation of Princes; and, that the Prelats might not take it ill, to defer halfe at the leaſt of the other Articles, and thoſe the moſt important, giving forth the reſt, as they had corrected them, that the voyces might be given, and the Seſſion celebrated, though the difficulty about the Decree of clandeſtine mariages did make them doubt. The ſixt of September one and twenty Articles of reformation were given forth, with order to begin the Congregations on the morrow. In the compoſition of theſe, Cardinal *Simoneta*, and his adherents, uſed all their arte and ingeny, to proceed with ſuch a temper, that the Court of *Rome* might not be prejudiced, and the world which deſired reformation, and the Ambaſſadors who did ſolicite it, ſatisfied, and, which was of moſt importance, the Biſhops contented. For being deſirous to finiſh the Councell, it was neceſſary that they ſhould willingly concurre.

The Reformation of Princes, and foure Articles of the other Reformation are deferred.

The BB. had all one ayme, to have the government more free: which they thought they ſhould obtaine, if 3. proviſions were made. One, that Pariſh Prieſts ſhould depend on them; which would happen, if the collation of Benefices with cure were given unto them, which point, beſides other difficulties, did touch *Reſervations*, and the rules of the *Chancery*, which was to diſcover a great part of the ſecrets of the Court of *Rome*. For it did plainly appeare, that a gate would be opened to take all collations from them, which was as much as to take from them all power, and life it ſelfe. Therefore they came to a temper, to hold the *Reſervations* firme, but to make the Biſhops Patrons to give the Cure to whom they pleaſe, upon pretence of examination. And, to this end the 18. Article was framed, with exquiſite artifice, as every one may ſee; which, with a faire ſhew, giveth power to the Biſhop to beſtow the Benefice on whom he pleaſeth, and yet taketh no profit from the Court. Another point was of exemptions, wherein they had formerly received many ſatisfactions, and now the 11. Article was added for a totall complement. The exemptions of the Regular Orders remained; and the Biſhops were in hope, either to take them quite away, or, at the leaſt, ſo to moderate them, that they ſhould be ſubject unto them, in a great part.

Ever

Ever ſince the beginning of the yeere, there was a congregation erected about the reformation of the regulars, which, by the aſſiſtance of the Generals, and advice of other religious perſons in Councel, had made a great progreſſe, and eſtabliſhed good decrees, without contradiction; for outwardly, and in ſhew the Regulars did not only not abhorre, but deſire them; but ſecretly they made account to interpret and practiſe them as they liſted: yea they thought it good to have a ſtrict reformation in writing; as indeed all their rules are one thing as they are written, and another as they are obſerved. But when they beganne to ſpeake of moderating their exemptions, and ſubjecting them, at leaſt in part, to the Biſhops, the Generals, and the Divines of the Orders did mutiny altogether; and treating with the Ambaſſadors of Princes, they ſhewed them what ſervice they did to people, Cities, and publique Governements, offering, that if any abuſe whatſoever were amongſt them, it ſhould be amended: that they would be contented, with any reformation, and returning to their governements, would execute it with more ſeverity then it was ordained; but to ſubject the Monaſteries to the *Ordinaries*, was abſolutely to put them out of order. For they, not underſtanding a regular life, nor the ſeverity of diſcipline wherewith it is maintained, would diſorder every thing. The Biſhops ſaid, that a priviledge is ever with detriment and derogation of the law, and the revocation favourable, reducing things to their owne nature; and therefore to take them away was not to innovate, but to reſtore things to their ancient ſtate. On the other ſide it was anſwered, that the exemption of the Regulars was ſo well preſcribed by antiquity, that it could no more be called a priviledge but common-law; that when the Monaſteries were ſubject to Biſhops, the Eccleſiaſticall diſcipline both in them and their Canons, was ſo wel governed, and ſo ſevere, that it merited to ſuperintend over all; that if they will reſtore antiquity, they muſt doe it in all parts, that if Biſhops would returne to be as they were in thoſe times, Monaſteries might be ſubjected to them now, as then they were, but it was not juſt that they ſhould demand the ſuperintendency over Monaſteries, before they made themſelves to be ſuch as was neceſſary the Rectors of a regular life ſhould be. The Regulars were favoured by the Ambaſſadours, and by the Legates, for the intereſts of the Court, which would have loſt a great inſtrument, if they had not depended wholly on it. And they wanted not the favour of ſome Prelates, who confeſſed their reaſons were good. This contention continued certaine daies, but did abate by little and little, becauſe the Biſhops who had moved it, did diſcover every day more difficulty in it.

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The reformation of the Regulars.

The third Article was concerning the impediments which Biſhops receive from ſecular Magiſtrats, who, to preſerve the temporall power, doe not ſuffer them to exerciſe that abſolute dominion which they would, not only over the Clergie, but over the people. To this effect, the reformation of Princes was made, whereof we have ſpoken already, and will hereafter, more at large. This part, and others which cohere with it, were deferred untill another Seſſion, becauſe it was thought a difficult matter, and that it would have much prolonged the buſineſſe. But the Biſhops did expound this delay as if they had meant to have done nothing in it. And they complained,

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plained, that, purpoſing to reforme the whole Church, the Clergie onely ſhould be reformed. The Legates uſed all means to appeaſe them, ſhewing, that not this only was deferred, but other matters alſo, which were neceſſary to be handled, promiſing that the delay was only to proceed with more maturity, and that they ſhould certainly be diſcuſſed; that it was neceſſary to facilitate the diſpatch of that Seſſion, which ſhould be a preparatory for the other, in which all that remaineth ſhould be handled. The Legats, were all bent to hold the Seſſion at the time appointed, thinking it neceſſary for the quicke diſpatch of the Councell: for which the Pope, by every ordinary Currier, and ſometimes by an extraordinary, did ſolicite them, that he might be ſet at liberty from it. In the Congregation of the ſeventh of September Friar *Martinus Roias*, Ambaſſador for the *Hoſpitularies* of S. *John* of *Jeruſalem*, now called Knights of *Malta*, was received; which was deferred by reaſon of ſome great oppoſition of ſome principall Biſhops, that he might not have place above them, ſaying it was not juſt that a religion of Friars ſhould precede the whole body of ſo many Prelates. But, finally, the matter was accorded, and publiſhed in Congregation, that place was given him amongſt the Ambaſſadors, without prejudice of the Prelates, who pretended precedence. The Ambaſſador made an Oration, and excuſed their grand *Maſter*, who did not ſend to *Trent* ſooner, by reaſon of the rumors of the *Turkiſh Armada*, and of the incommodities they received by *Dragut*, the Pyrate. He exhorted the Fathers to remedy the preſent evils, which alſo did not a little touch the Friars of their religion, who are not idle members of the Chriſtian Common-wealth. He perſwaded the extirpation of hereſies, offering that their grand *Maſter*, and Society, would take upon them the patronage and defence of the cauſe, ſpending not their goods only, but their life and blood. He related the beginning of their religion, which was fourty yeeres before *Godfrey* did go to the conqueſt of the holy land; the heroicall workes done by their anceſtors, the like whereof they could not performe now, becauſe they were ſpoiled of a great part of their lands, and poſſeſſions; that they are a *Barracado* of *Sicily* and *Italy* againſt the *Barbarians*. Therefore he prayed the Fathers to take notice of the antiquity, nobility, merits, and dangers of that *Society*, and to cauſe their poſſeſſions, and *Commendaes*, uſurped from them, to be reſtored, and that it might be decreed by the Councell, that they ſhould be conferred upon none but of their order, ratifying the immunities and priviledges thereof. The *Speaker* received the excuſe in the name of the Synod, and promiſed that they would have that conſideration, as his demand, for the preſervation of the *Commendaes* and priviledges of that religion did deſerve. But howſoever he made the ſame inſtance afterwards to the Legates, and the relation to the Pope, his Holineſſe would never anſwer any thing, but that it belonged to him only to make proviſion herein, and that he would doe it in time convenient.

The Ambaſſadour of the Knights of *Malta* is received.

His Oration.

In that Congregation and thoſe that followed, voyces were given concerning the 21. Articles of reformation, propoſed; in which though there was nothing of great moment, yet for the order of the ſtory, and declaration of many things which happened afterwards, it is not amiſſe to make mention of the principall. In the firſt, which was of the election of Biſhops,

ſhops, it being ſaid that there was an obligation to provide the moſt worthy, the difficulty formerly mooved did returne, that it would binde very ſtraitly the hands, as of the Pope in collations, ſo of Kings and Princes in the nominations, if they were tyed to nominate one perſon only. And the greater part was of opinion to remoove the comparative, and to ſay only, that they were bound to provide a worthy perſon. But on the other ſide, ſome conſidered that the Fathers have alwayes uſed this manner of ſpeech, that the moſt worthy ſhould be preferred, and alleadged the reaſon, that he cannot be without blame who preferreth the leaſt worthy, though fit, before another of more deſert. There was much diſputation herein, but, a meanes was found to compoſe all, leaving, in ſhew, the word, *more worthy*, and ſpeaking firſt in poſitive termes, and paſſing afterwards to comparatives, that the proviſion might be underſtood to be free; and ſo that forme was uſed which is now in Print: that is, that there is an obligation to provide good and fit Paſtors, and that he doth mortally ſinne who doth not preferre the more worthy, and more profitable to the Church; leaving a naturall expoſition to theſe words, that many are more worthy and more profitable, in reſpect of others, who are leſſe; in which compaſſe the will of him that is to provide hath a large field. 1563 PIVS 4 FERDINAND ELIZABETH. CHARLES 9 PHILIP 2 In the promotion of Prelates whether the moſt worthy ought to be preferred.

In the third Article there was ſome difficulty about the viſitation of Archbiſhops. Theſe alleadged the Canons, and ancient cuſtomes, that the Suffragans did ſwear obedience to the Metropolitans, and were wholly ſubject to their viſitation, correction, and governement, and would not conſent that their authority ſhould be prejudiced, and, amongſt theſe, the Patriarke of *Venice* was exceeding warme. On the contrary, the Biſhops, eſpecially thoſe of the Kingdome of *Naples*, laboured to mainetaine the cuſtome, by which they differ not in authority, but in name only. But the number of the Biſhops being great, and of the Arch-biſhops ſmall, and the Legates and Papalins favouring thoſe, that theſe might not, by granting authority and reputation by their ſubjection, exempt themſelves more from ſubjection to the Court, they would obtaine nothing, but one word only of ſatisfaction; that is, that they were not forbid to viſite, when there was cauſe approoved by the Provinciall Councell. Whereof the Arch-biſhops did complain, and ſay, it was juſt nothing. For there being one Arch-biſhop in the Provinciall Councell, and many Biſhops, it is certaine that the cauſe would never be approoved.

The ſixt Article was concerning the exemption of Chapters of Cathedrals, from Epiſcopall authority, in which the Spaniſh Biſhops, and, in contemplation of them, the Count of *Luna* having great intereſt, many reſtrictions and ampliations were made, but not ſuch as did content the Prelates howſoever they were often changed, and in the end deferred untill another Seſſion, as ſhall be ſaid.

The thirteenth Article; concerning *Penſions*, ſpake generally that no Benefice ſhould be burthened with greater *Penſions* then of the third part of the fruits, or of their value, conformeable to that which was uſed when the *Penſions* began. This ſeemed not convenient to the Cardinall of *Loraine*, becauſe there are ſome very rich benefices which could not be ſaid to be burthened,

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if they ſhould pay two thirds, and others ſo poore, that they cannot beare any *penſion* at all. And therefore he ſaid, that this was not a juſt diſtribution, and that it was better to prohibite, that Biſhoprickes of a thouſand crowns and Benefices of an hundred, ſhould be burthened, and concerning the others, to ſay nothing. This opinion prevailed to the great content of the Legats, and Papalins, for the abſolute power which was left to the Pope in good Benefices. Thoſe who demanded a moderation of the *penſions* of *reſervations* of fruits formerly impoſed of *acceſſes* and *regreſſes*, made many and long dicourſes. But the difficulty compelled every one to bury all in ſilence, for the confuſion and diſorders which were foreſeene would enſue. For all would have excuſed themſelves that they would not reſigne their Benefices without theſe conditions, and thoſe eſpecially who had payed compoſition to the *Chamber* for the obtaining of ſuch *graces*, would have complained that the *graces* ſhould be taken from them, and the money not reſtored; the reſtitution whereof was a thing impoſſible. Finally every one thought it enough to provide for the future, without thinking of that which is paſt.

The fourteenth Article, which did deteſt and forbid all payment of part of the fruits for the collation, proviſion or poſſeſſion, did much pleaſe the French-men. They ſaid the payment of *Annats* was taken away by thoſe words. And indeed he that doth conſider, and examine them, cannot give them any other ſence, howſoeuer the event hath ſhewed, that they have not been ſo underſtood in *Rome*. In the ſeventeenth, in which *plurality* of Benefices is forbid, and *dualty* granted when one is not ſufficient, ſome deſired an addition, that they ſhould not be diſtant above a dayes journey, that the incumbent might make part of his reſidence in each of them. But they could not obtaine it, neither did they much labour, foreſeeing that that addition, as alſo the whole Article, would not be executed but againſt thoſe of the poorer ſort onely. The eighteenth, howſoever it did pleaſe in that it did reſtore in effect the proviſion of Benefices with cure to Biſhops; yet the French-men did oppoſe againſt the forme of the examination, becauſe it did ſeeme to bind the Biſhops hands too ſtrait. Their reaſon was, that, by that concourſe, too open and too publike a way was given to ambition, that antiquity made profeſſion to give benefices to him that refuſed them, whereas, by this new manner they would not only procure them but profeſſe themſelves to be worthy of them.

In the nineteenth, the Biſhop of *Conimbria* ſpake at large againſt the *Expectatives* or *Advowſons*, becauſe they did make the incumbents death to be deſired, and ſometimes procured. And for *mentall Reſervations*, he ſaid they were fraudes, and meere thefts, and that it was better to leave to the Pope the whole collation of all Benefices, then to uſe ſuch unworthy Artifices, as was to give vertue to a ſecret thought, not publiſhed, and to leave a ſuſpition that it was not a reſervation in the minde, but an invention after the fact. But *Simoneta* croſſed his diſcourſe, ſaying, that it was good to reprehend abuſes for which no proviſion was determined, that it might be procured, but ſeeing a common diſpoſition to the remedy, and the Decree compoſed already, it was ſufficient to eſtabliſh it, by conſenting, without

out multiplying words of reprehenſion, ambitiouſly, when there was no need. 1563

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The eleventh of September, the French Ambaſſadours received letters from the King, of the eight and twentieth of Auguſt, in which he ſignified, that he had received the Articles, imparted to them by the Legates, and did ſee that matters were farre from the hope he conceived, becauſe to eſtabliſh theſe was to pare the Kings nailes, and to make thoſe of the Eccleſiaſtiques longer. Which becauſe he would not endure, he commanded to repreſent to the Fathers with wiſedome, dexterity, and courage, that as every Prince, ſo long as the Councell doth proceed aright, is bound to favour it with all heat of zeal, ſo to cover the ſore, which cauſeth the preſent evils, and to make a greater, with the prejudice of Kings, is farre from that which was expected. That he ſaw how lightly they paſſed over the reformation of the Clergy; who only have given the ſcandals to thoſe that have ſeparated themſelvs from the Romiſh Church, and how they aſſume authority to take away the rights and prerogatives of Kings, to breake their Conſtitutions and Cuſtomes, preſcribed by time out of minde, to anathematize and excommunicate Kings and Princes, all tending to ſowe diſobedience, ſedition, and rebellion of ſubjects againſt their Soveraignes; whereas it is manifeſt to the whole world, that the power of the Fathers, and of the Councell, extendeth only to the reformation of the Clergy, without touching the matters of State, or of Secular power and juriſdiction, which is wholly from the Eccleſiaſticall, and that alwaies, when the Fathers and Councels have preſumed to handle ſuch things, Kings and Princes have made reſiſtance; whence many ſeditions and warres, to the great damage of Chriſtendome, have proceeded. That they ſhould exhort them to be carefull in that which belonged to their charge, and was neceſſary for the preſent occaſions, and to leave thoſe attempts, which, having never done good heretofore, would produce a worſe effect in thoſe times. The King added, that, if the Fathers would not retire upon theſe perſwaſions, they, the Ambaſſadors, ſhould make a ſtrong oppoſition; which being done, without expecting their judgement, or referring themſelves to their diſcretion, they ſhould depart, and go to *Venice*, letting the French Prelates know that they ought to continue in Councell, and indeavour to doe God ſervice, being aſſured, that, in caſe any thing ſhall be treated againſt the rights, prerogatives and priviledges of the King and French Church, they will not faile to abſent themſelvs, as his Majeſty would have them doe. He wrote alſo to the Cardinall of *Loraine* in the ſame manner, as he gave order ſhould be told the other Prelates; that is, that he ſhould not approve any thing with his preſence, that ſhould be handled in Councell againſt the Kings rights, but ſhould abſent himſelfe, if he ſhal ſee that the Fathers doe ſally without the limits of their charge, referring him, for the reſidue, to the inſtructions ſent to the Ambaſſadours.

The French King writeth to *Trent* concerning the Reformation of Princes.

The Ambaſſadours having received theſe letters, and conſulted of all with the Cardinall of *Loraine*, by his advice, did impart them to the Legats, and cauſed a voice thereof to paſſe in the Councel, that the Biſhops, hearing of it, might deſiſt from demanding the reformation of Princes, and themſelves might not have occaſion to oppoſe, and proteſt. But this brought forth

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foorth a contrary effect. For the Biſhops who were quiet, in regard of the expectation that, when the Seſſion was ended, the reformation of Princes ſhould be propoſed; underſtanding this newes, and perceiving that the aime was to paſſe it over in ſilence, began to treat among themſelves, not to proceed any further in the acts of the Councell, if that alſo which concerneth Princes were not given forth; and put in conſultation, together with the other Articles. And they proceeded ſo farre herein, that a hundred of them gave their word one to another to be conſtant in this reſolution; and having drawne a writing to this purpoſe, which was ſubſcribed by all, they went to the Legats, requiring that the articles of the Reformation of Princes might be propoſed and given to the Fathers, declaring, as it were by way of proteſtation that they would not proceed, nor conclude any thing in the others, but together with theſe. The Legats gave good words, purpoſing, and hoping to divert the humor. And, in this trouble, the Count of *Luna* appeared againe, and demanded, as he had done before, a revocation of the Decree, *proponentibus Legatis*, that every Prelate might propoſe what he thought worthy of reformation: and demanded alſo that the ſixt Article might be amended, to pleaſe the Spaniſh Prelates, taking quite away the exemptions of the *Chapters* of the Canons of Cathedrall Churches, and ſubjecting them to the Biſhop. And there being in *Trent* a Proctor of thoſe *Chapters*, who laboured to the contrary, he commanded him to ſpeake no more in it.

A combination of an hundred Prelates concerning the Reformation of Princes.

Things ſtanding in theſe termes, the Legates thought to hold the Seſſion with the matter of matrimony only. But it was oppoſed, that the difficulties of Clandeſtine marriage were not well digeſted as yet, and that the Ambaſſadors would ſuſpect, that if the Seſſion were held, and the reformation not ſpoken of, all hope was loſt that it would ever be handled. And it being evident that no part of the reformation could be in order, at the time determined for the Seſſion, they propoſed, in the generall Congregation of the fifteenth of the moneth, to prolong it unto the eleventh of November; and ſo it was reſolved. The cauſe of this long delay was, that the Pope, ſeeing the difficulties to finiſh the Councell, ariſing partly by the controverſies of the Prelates, and partly by the oppoſitions of the Spaniſh Ambaſſadour, put all hope of overcomming them in the Cardinall of *Loraine*. Whereupon he wrote to the Legates, that, in caſe the Seſſion could not be held at the time appointed, it ſhould be deferred for two moneths. And this he did that the Cardinall might have time to come unto him, that he might treat with him, of that which was impoſsible to do by letters or meſſengers, and that, by this meanes, every previous diſpoſition for the concluſion of the Councell might be prepared. Untill that time the Pope had no other determination then to finiſh the Synode, but he firmely reſolved then, that, if that could not be done, there being a neceſsity to rid himſelfe out of it, he would by all meanes diſſolve it. He ſent the Legates faculty to make a ſuſpenſion, or a tranſlation, as they thought beſt, by advice of the Fathers, and wrote unto them that he would, by all meanes, be freed from it, by an end of it, if it were poſsible, which he did much deſire, but, if it could not be, they ſhould uſe one of thoſe two remedies: and therfore that they ſhould endevour to make ſome occaſion ariſe, that they might be requeſted to doe it, that he might not

The Popes confidence is only in the Cardinall of *Loraine*.

The Pope is reſolved by all meanes to bee freed from the Councell.

not ſeeme to be the author; as alſo that they ſhould ſolicite the journey of *Loraine*; who parted the next day after the reſolution was made to prolong the Seſſion. 1563

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All the diſtaſtes of *France* for matter of the Councell were ceaſed in the Pope, though he received continuall troubles from that Kingdome. He was much vexed with the daily inſtance, made unto him, that he would not conſent to the alienation of 100000. crownes of Eccleſiaſticall goods, and by the continuall detraction which he underſtood the Hugonots uſed againſt him, and the Apoſtolike *Sea*. And particularly, he was grieved at the Cardinall *Chaſtillion*, who, as hath been ſaid, laid aſide the clericall habit, and called himſelfe Count of *Beauvois*; and, underſtanding that the Pope in Conſiſtory had deprived him of the Cap, the laſt of May, he reſumed the habite of a Cardinall, and was married in it: and in a great ſolemnity in *Roan*, the thirteenth of Auguſt, when the King was declared in Parliament to be of age, he appeared in the ſolemnity, in the ſame habite, in preſence of all the French Nobility; which was generally thought to be a great contempt of the Papall dignity. Wherewith the Pope being mooved, he made his deprivation to be printed at that time, and many copies to be diſperſed in *France*.

The Cardinall of *Loraine* goeth to *Rome*.

The Cardinall *Chaſtillion* mocketh the Pope.

And is deprived by him.

The Popes *Nuncio* reſident in *France*, came to *Rome*, a few dayes before the arrivall of the Cardinall of *Loraine*; who was diſpatched by the Queen, to propoſe to the Pope a conference betweene his Holineſſe, the Emperour, and the King of *Spaine*; and the King her ſonne, in whoſe traine her ſelfe would be. The propoſition did not diſpleaſe the Pope, becauſe it might ſerve him to finiſh the Councell, but he thought the execution was impoſſible. And he promiſed to ſend *Nuncij* to the Emperour and King of *Spaine*, to this end; and appointed the Biſhop of *Vintimiglia* for *Spaine*, whom hee therefore recalled from *Trent*, and the Biſhop of *Iſchia* for the Emperour.

To the Cardinal of *Loraine* he made exceſſive demonſtrations of honor, lodged him in the palace, (a thing unuſuall) went publikely to viſite him in his lodging. Their diſcourſes were partly about the Conference, though the Cardinall did not thinke it feaſable. They treated about the ſale of a 100000. crowns which whether the Cardinal did promote or draw back, was not diſcovered. But the Pope having, upon a new inſtance made by the French Ambaſſadour, anſwered, that he did referre it to the Councell, many thought it to be an excuſe invented by *Loraine*. But the principall buſineſſe was about finiſhing the Synode, which the Pope thought to be of greateſt importance, and knew to be moſt difficult. Wherein there was great confidence betweene them. For the Cardinall diſcovered to him that his intereſts were turned the ſame way, and that, ſince the death of his brothers, he ſaw plainely, that there was no meanes to maintaine Religion in *France*, and his houſe, but his conjunction with the Apoſtolique *Sea*. The Pope promiſed to make Cardinals at his inſtance, and gave him ſuch words as ſhewed an intention to make him his Succeſſour in the Popedome: and that they might have more credit, he made ſhew, that the greatneſſe of that Cardinall was profitable for the ends he had, in ayming at ſome matter

How the Cardinall of *Loraine* was treated in *Rome*.

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ter of great moment. And the concluſion of his diſcourſes to every one was; *We muſt ſhut up the Councell, provide money, and afterwards that will happen which ſhall pleaſe* God.

The Pope told the Cardinall, that as often as he heard of the diſcords, and delaies, which ſome did plot, he thought to ſuſpend the Councel; but changed his opinion, for fear of the ſcandall which the world would take, which knew not the truth: and that ſometimes he thought this the greateſt evill that could occurre, and ſometimes judged it leſſe then the danger in which his authority was, which was the marke at which the Princes, Biſhops, and all ſorts of perſons did ſhoot: but finally, that it was neceſſary to lay aſide all reſpects, and come to this reſolution. The Cardinall diſſwaded him, ſhewing that this was not a medicine to cure the evill, but to deferre it onely, with greater danger, becauſe he would, in a ſhort time, have new demands to reſtore it, and plots would be laid by thoſe who were not ſatisfied with him; and that to ſuſpend was as difficult as to finiſh it. For there was no need to alleadge cauſes for this, it being ſufficient to bring things to the concluſion, and ſo to end, whereas the ſuſpenſion did require an allegation of the cauſe, whereof every one would ſpeake his opinion; that it was more honourable to finiſh, then to ſuſpend it; and he uſed other reaſons, which made the Pope know that his counſell was good and faithfull. And afterwards he adviſed him to deale plainly with the King of *Spaine*.

Therefore calling the Ambaſſadours of that King, he complained, in grievous termes, ſaying, that he had called the Councel, upon hope and promiſe, that the affaires of the Papacy would have beene favoured by his Majeſty, to whom he had given all imaginable ſatisfaction, and would give him more, according to his demands, if the impediments, cauſed by the Councel, were taken away; that he had not demanded any favour of his Majeſty and his Miniſters, but the ending of the Councell, for the ſervice of God, and the publike good, and therein was ill uſed, though it was rather a loſſe to the King, then a benefit. Therefore he was forced to hold eſteeme of him by whom he was eſteemed, and to caſt himſelfe into the armes of thoſe that would aſſiſt him. And he diſpatched alſo a Currier to the King, with a letter of his owne hand, complaining of the Offices, done by his Ambaſſador and Prelats in *Trent*, contrary to his Miniſters in *Rome*, each party ſaying he doth the commiſſion of his Majeſty. He ſhewed that it was convenient for the ſervice of God, of the Apoſtolike *Sea*, and of his Majeſty, that the Councell ſhould end; and in concluſion, he deſired him to declare himſelfe plainly whether he would aſſiſt him herein, or not. The Cardinal did counſell him alſo not to be averſe from granting to the Emperour the Cup, and marriage of Prieſts, by which meanes he ſhould gaine both him and the King of the *Romans*, not to conſent only to the ending of the Councell, but to be favourable, and to promote it. He told him likewiſe, that it was neceſſary to omit the reformation of Princes, becauſe it would prolong the buſineſſe more then any thing beſides.

After the departure of *Loraine*, nine French Biſhops parted from *Trent*, and returned home, ſo that there remained but eight, beſides ſixe who went with the Cardinall to *Rome*. This departure cauſed an opinion, that they were

were recalled, and that there was a purpoſe, at the perſwaſion of the *Hugonots*, to recall the others, that, the end of the Councell approaching, no French-men might be preſent when they ſhould be anathematized. The Legats, to facilitate the difficulties of ſecret mariage, cauſed the Divines who were maintainers and oppoſers of it, to make a publike diſputation. This was never done before in any occurrence, and then did ſo little good, that every one was more confirmed in his owne opinion. After this, to reaſſume the Congregations, and to handle the reformation, they gave forth the reſidue of the Articles, the laſt of which was the reformation of Princes, being forced thereunto by the mutiny of the Prelats. 1563 PIVS 4 FERDINAND ELIZABETH CHARLES 9 PHILIP 2.

Of which matter concerning Princes having often made mention, and now being come to a place, in which it is neceſſary to recite it, for the underſtanding of the things that follow, it muſt be known that it did containe a proheme, with thirteene Articles, and a very pregnant Epilogue; the ſubſtance whereof was. That the Synode, beſides the things conſtituted concerning Eccleſiaſticall perſons, hath thought fit to correct the abuſes of the Seculars, brought in againſt the immunity of the Church, hoping that the Princes will be content, & cauſe due obedience to be rendred to the Clergie. And therfore it doth admoniſh them to cauſe their Magiſtrates, officers, and temporal Lords, to yeeld that obedience to the Pope, and conſtitutiõs of the Councell, which themſelves are bound to performe. And, for facilitation hereof, it doth renew ſome things decreed by the holy Canons, and Imperial lawes, in favour of Eccleſiaſticall immunity, which ought to be obſerved upon paine of *Anathema*. 1. That Eccleſiaſticall perſons may not be judged in a ſecular Court; howſoever there may be doubt of the title of the Clerkſhip, or themſelves conſent, or have renounced the things obtained, or for any cauſe whatſoever, though under pretence of publike utility, or ſervice of the King, nor ſhall be proceeded againſt there, in cauſe of murder, if it be not truly and properly a murder, and notoriouſly knowne, nor in other caſes permitted by the Law, without the declaration of the Law going before. 2. That in cauſes ſpirituall, of matrimony, hereſie, patronage, beneficiall, civill, criminall and mixt, belonging in what manner ſoever, to the Eccleſiaſticall Court, as well over perſons, as over goods, tithes, fourths, and other portions appertaining to the Church, or over beneficiall Patrimonies, Eccleſiaſticall Fees, temporall juriſdiction of Churches, the temporal Judges ſhall not meddle, neither in the *Petitory*, nor in the *poſſeſſory*, taking away all appeale upon pretence of juſtice denied, or as from an abuſe, or becauſe the things obtained are renounced: and thoſe who ſhall have recourſe to the Secular magiſtrate, in the cauſes aforeſaid, ſhall be excõmunicated, and deprived of their rights, belonging unto them in theſe things. And this ſhall be obſerved alſo in caſes depending in what inſtance ſoever. 3. That the Seculars ſhall not appoint Judges in cauſes Eccleſiaſticall, though they have Apoſtolike authority, or a cuſtome time out of mind: and the Clerkes who ſhal receive ſuch offices from the Laikes, though by vertue of any priviledge whatſoever, ſhall be ſuſpended from their orders, deprived of their benefices, and offices, and made uncapeable of them. 4. That the Secular ſhall not command the Eccleſiaſticall Judge, not to excommunicate without licenſe,

The Articles of the reformation of Princes.

1563 or to revoke or ſuſpend the Excommunication denounced, nor forbid him
1564 to examine, cite and condemne, or to have Sergeants, or Miniſters for exe-
Ferdinand. cution. 5. That neither the Emperour, Kings, nor any Prince whatſo-
Elizabeth. ever, ſhall make Edicts or Conſtitutions, in what manner ſoever, concer-
Charles 9. ning Eccleſiaſticall cauſes, or perſons, nor meddle with their perſons, cauſes,
Philip 2. juriſdictions, or tribunals, no not in the *Inquiſition*, but ſhall be bound to afford the ſecular Arme to Eccleſiaſticall Judges. 6. That the temporall juriſdiction of the Eccleſiaſtiques, though with meere and mixt power, ſhall not bee diſturbed, nor their ſubjects drawne to the Secular tribunals, in cauſes temporall. 7. That no Prince or magiſtrate ſhall promiſe by *Briefe*, or other writing, or give hope to any to have a Benefice within their dominions, nor procure it from the Prelates, or chapters of Regulars, and hee that ſhall obtaine it by that meanes, ſhall be deprived, and uncapeable. 8. That they ſhall not meddle with the fruits of Benefices Vacant, under pretence of cuſtody or patronage, or protection, or of withſtanding diſcords, nor ſhall place there either Bayleifes or Vicars: and the Seculars, who ſhall accept ſuch offices, and cuſtodies, ſhall bee excommunicated, and the Clerkes ſuſpended from their Orders, and deprived of their Benefices. 9. That the Eccleſiaſtikes ſhall not be forced to pay taxes, gabels, tithes, paſſages, ſubſidies, though in the name of gift, or loane, either in reſpect of the Church goods, and of their Patrimoniall, except in Provinces, where, by ancient cuſtome, the Eccleſiaſtikes themſelves doe aſſiſt in publike Parliaments, to impoſe Subſidies both upon the Laity and the Clergie, to make warre againſt the infidels, or for other urgent neceſſities. 10. That they ſhall not meddle with Eccleſiaſticall goods, mooveable or immooveable, vaſſallages, tenths, or other rights, nor in the goods of communities or private men, over which the Church hath any right: nor ſhall rent out the depaſturing or herbage which groweth in the lands and poſſeſſions of the Church. 11. That the letters, ſentences and citations of Judges Eccleſiaſticall, eſpecially of the Court of *Rome*, ſo ſoon as they be exhibited, ſhall bee intimated, without exception, publiſhed, and executed; neither ſhall it be neceſſary to require conſent or licenſe, which is called *Exequater*, or *Placet*, or by any other name either for this, or for taking poſſeſſion of Benefices, though upon pretence of withſtanding falſhoods, and violences, except in fortreſſes and thoſe Benefices in which Princes are acknowledged, by reaſon of the temporality; and in caſe there ſhall be doubt of falſity, or of ſome great ſcandall or tumult, the Biſhop, as the Popes delegate, ſhall conſtitute what he thinketh needfull. 12. That Princes and Magiſtrates ſhall not lodge their officers, ſervants, ſouldiers, horſes or dogs, in the houſes or Monaſteries of the Eccleſiaſtikes, nor take any thing from them for their food or paſſage. 13. And if any Kingdome, Province, or place ſhall pretend not to be bound to any of the things aforeſaid, by vertue of priviledges from the Apoſtolike *Sea* which are in actuall uſe, the priviledges ſhall bee exhibited to the Pope, within a yeere after the end of the Councell, which ſhall be confirmed by him, according to the merits of the Kingdoms or Provinces, and, in caſe they be not exhibited before the end of the yeer, they ſhall be underſtood

ſtood to be of no force. And, for the Epilogue there was an admonition to all Princes to have in veneration the things which concerne the Clergie, as peculiar to God, and not to ſuffer them to be offended by others, renewing all the conſtitutions of Popes and holy Canons, in favour of Eccleſiaſticall immunity, commanding under paine of *Anathema*, that neither directly nor indirectly, under any pretence whatſoever, any thing be conſtituted, or executed againſt the perſons or goods of the Clergie, or againſt their liberty, any priviledges or exemptions, though immemoriall notwithſtanding. 1563 PIVS 4 FERDINAND ELIZABETH CHARLES 9 PHILIP 2

And this is it which was firſt imparted to the Ambaſſadours, and by each of them, ſent to their Princes, whereupon the French King gave the order to his Ambaſſadors before mentioned; and the Emperor having ſeen them wrote to the Cardinall *Morone*, that he could not poſſibly aſſent, either as Emperour, or as Arch-Duke, that they ſhould ſpeak in Councell of reforming the juriſdiction of Princes, nor to take from them authority to receive aſſiſtance and contributions from the Clergie, putting him in minde, that all the former evils did ariſe from the oppreſſions attempted by the Eccleſiaſtiques againſt people and Princes. That they ſhould beware not to provoke them more, and cauſe greater inconveniences to ariſe. Are diſtaſtfull to the Emperor

After *Loraine* was departed, the French Ambaſſadours put their proteſtation in order, to make uſe of it if need were. In the Congregation of the two & twentieth of September one of the Fathers made a long ſpeach to ſhew, that the cauſe of all deformation proceeded from Princes; that they had more need of reformation; that the Articles were already in order, and was now time to propoſe them, that they might not vaniſh to nothing by delaies. After he had ſpoken, the Ambaſſadour *de Ferrieres* made a long querulous Oration, or, as the French-men ſay, a complaint. The contents whereof, in the principall points, were. That they might ſay to the Fathers as the Ambaſſadours of the Jewes did to the Prieſts. Ought we alſo to continue faſting and lamenting: That there are more then 150 yeers paſt ſince the moſt ChriſtianKings have demanded of the Popes a reformation of the Eccleſiaſticall diſcipline; that for this end only they have ſent Ambaſſadors to the Synods, of *Conſtance*, *Baſil*, and the *Lateran*, to the firſt of *Trent*, & finally to this ſecond. What their demands were, *John Gerſon*, Ambaſſador in that of *Conſtance*, the Orations of *Petrus Daneſius*, Ambaſſador in the firſt of *Trent*, of *Guido Faber*, and of the Cardinall of *Loraine* in this ſecond, doe teſtifie: in which nothing was demanded but the reformation of the manners of the miniſters of the Church; and notwithſtanding this they muſt ſtill faſt and lament, not ſeventy yeeres, but two hundred, and GOD grant they be not three hundred, and many more. And if any ſhould ſay, that ſatisfaction hath beene given them, by Decrees and *Anathematiſmes*, they did not thinke that this was to ſatisfie, to give one thing for payment of another. If it ſhall be ſaid that they ought to be ſatisfied with a great bundle of reformations propoſed the moneth before, they had ſpoken their opinion concerning that, and ſent it to the King, who had anſwered, that he ſaw few things in it befitting the ancient diſcipline, but many things contrary. That that is not the plaſter of *Eſaias*, to heale the wound, but of *Ezekiell*, to make it raw, The ſpeech of de Ferrieres.

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though healed before. That theſe additions of excommunicating and anathematizing Princes, was without example in the ancient Church, and did make a way to rebellion; and all the Articles concerning the reformation of Kings and Princes, have no ayme but to take away the libertie of the French Church, & offend the Majeſty of the moſt Chriſtian Kings, who by the example of *Conſtantine*, *Juſtinian*, and other Emperors have made many Eccleſiaſticall lawes, which have not only not diſpleaſed the Popes, but they have inſerted ſome of them in their Decrees, and judged *Charles* the Great, and *Lewis* the ninth, principall authors of them, worthy of the name of Saints. Hee added, that the Biſhops had, with them, governed the Church of *France*, not only ſince the times of the *Pargmatique*, or *Concordate*, but foure hundred yeares and more before the booke of the *Decretals*; and that theſe laws have been defended and renewed by the later Kings, ſince that *Decretals*, ſubſiſtuted in place of them, have derogated from them in the times following. That the King, being now of age, would reduce thoſe laws, and the liberty of the French Church, into obſervation, becauſe there is nothing in them contrary to the doctrine of the Catholique Church, to the ancient Decrees of Popes, nor to the Councels of the Church Univerſall. He ſaid moreover that thoſe laws doe not prohibite Biſhops to reſide all the yeare, and to preach every day, not onely nine moneths, and in the feaſts, as was Decreed in the laſt Seſſion; nor forbid them to live in ſobriety and piety, and having the uſe only, and not the benefit of the revenues, to diſtribute them, or rather to render them to the poore, who are owners of them. And he proceeded in naming other things of the Councell, with the like ironicall manner, that hee ſeemed to jeſt at them. He added, that the power given by God to the King, the laws of *France*, and the liberty of the French Church, have always forbid *Penſions*, *Reſignations* in favour or with *Regreſſe*, *Plurality* of Benefices, *Annats*, *Preventions*, and to litigate for the *Poſſeſſory* before any but the Kings Judges, or for the propriety or other cauſe, civill or criminall, out of *France*, and forbid alſo the hindering of appeales, as from abuſe, or to hinder that the King, Founder and Patron of almoſt all the Churches of *France*, may not make uſe of the goods and revenues, though Eccleſiaſticall, of his Subjects, for inſtant and urgent neceſſity of the Common-wealth. Hee ſaid afterwards, that the King marveiled at two things. One, that they, the Fathers, adorned with ſo great Eccleſiaſticall power in the miniſtery of God, aſſembled onely to reſtore Eccleſiaſticall diſcipline, not regarding this, ſhould bind themſelvs to reforme thoſe whom they ought to obey, though they were ſtiffenecked. Another, that they ſhould think they can and ought, without any admonition, excommunicate and anathematiſe Kings and Princes, which are given by God to men, which ought not to be done to any ordinary man, though perſevering in a moſt grievous offence. He ſaid, that *Michael*, the *Archangel*, durſt not curſe the Devill, or *Micheas*, or *Daniel*, the moſt wicked Kings, and yet they, the Fathers, were wholly converſant in maledictions againſt Kings and Princes, and againſt the moſt Chriſtian, if he will defend the lawes of his anceſtors, and the liberty of the *Gallicane* Church. His concluſion was, that the King did deſire them not to

decree

decree any thing againſt thoſe lawes, or, if they ſhould, that he commanded his Ambaſſadors to oppoſe the Decrees, as then they did oppoſe them. But if, omitting the Princes, they would attend ſeriouſly to that which al the world expecteth, it would be moſt acceptable to the King, who did command them, the Ambaſſadours, to further that enterpriſe. Hitherto he ſpake in the Kings name. Afterwards he did invocate the heaven, earth, and the Fathers, to conſider whether the Kings demand were juſt, whether it were honeſt for them to make orders for themſelves throughout the whole world; whether this were a time to take compaſſion, not upon the Church, nor upon *France*, but upon themſelves, the Fathers, their dignity, reputation, & reveneues, which cannot be preſerved but by the Arts by which they were gained in the beginning; that in ſo great confuſions they muſt be wary, and not to cry when CHRIST commeth, *ſend Us into the herd of ſwine*; that if they would reſtore the Church to the ancient reputation, compel the adverſaries to repentance, and reforme Princes; they ſhould follow the example of *Ezekias*, who did not imitate his father, nor his firſt, ſecond, third, and fourth grand-father, who were unperfect, but went higher to the imitation of his perfect anceſtors; ſo it was not fit at that time to reſpect the next predeceſſors, though very learned, but to aſcend as farre as *Ambroſe*, *Auguſtine*, and *Chryſoſtome*, who overcame the heretiques, not by arming Princes to the warre, themſelves in the meane while picking their nailes at home, but with prayers, good life, and ſincere preaching. For they, having framed themſelves firſt like *Ambroſe*, *Auſtine* and *Chryſoſtome*, will make the Princes alſo to become *Theodoſii*, *Honorij*, *Arcadij*, *Valentiniani*, and *Gratiani*; which he ſaid they hoped for, and prayed God it might be ſo; and here he ended. The Oration, when it was pronounced, did anger very much not onely the Papalins, but the other Prelates more, and French-men alſo: and, when it was ended, there was ſuch a whiſpering, that it was neceſſary to finiſh the Congregation. Some did taxe it of hereſie; and others ſaid, it was much to be ſuſpected, at the leaſt; and others, that it was offenſive to godly eares. They ſaid, he had taken occaſion to doe it, in abſence of the Cardinall of *Loraine*, who would never have endured thoſe termes, and that his end was to diſſolve the Councell; that he did attribute to Kings more then belongeth to them; that he inferred that the Popes authority is not neceſſary for the uſing of Church goods; That hee made the French King like to the Queene of *England*. But nothing did ſo much offend, as that he ſaid that the authority of the French Kings over perſons and goods Eccleſiaſticall, was not founded upon the *Pragmatique*, *Concordates*, and priviledges given by Popes, but upon the law of Nature, holy Scripture, ancient Councels, and lawes of the Chriſtian Emperours.

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Is cenſured.

The French Ambaſſadours were reprehended alſo, becauſe they did not follow the ſteps of the Emperors and Spaniſh Ambaſſadours, who, though they had the ſame intereſts, made not ſuch a commotion, becauſe they knew there was no reaſon for it. *De Ferrieres* defended himſelf, & ſaid, that the Legates had promiſed the Cardinall of *Loraine*, that this matter ſhould not be ſpoken of, but with ſuch moderation, as that it ſhould not touch the affaires of *France*, which was not performed; that the Kings inſtruction had been

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imparted to the Cardinall, who, if he had beene preſent, would not onely have conſented unto, but counſelled a Proteſtation; that thoſe were great *Ignorantes*, who having ſeen nothing but the *Decretals*, laws of four hundred yeeres, did thinke that there were no Eccleſiaſticall lawes before them; that if any would reforme the King by the *Decretals*, he would reforme them by the Decrees, and lead them alſo to more ancient times, not onely of Saint *Auſtine*, but of the *Apoſtles* alſo; that he did not make the French King as the Queene of *England*, but did oppoſe them, who have begun long ſince to enlarge their owne authority, by diminiſhing the Kings; that, if thoſe Articles did ſo much damnifie the Emperour, and Catholique King, as they doe *France*, they would never have been propoſed, and therefore he was not to take example by thoſe, who have not equall intereſts. The Arch-biſhop of *Sans*, and the Abbat of *Claraval* were diſtaſted moſt of all, who went up and downe, ſaying, that the Ambaſſadours had done ill to proteſt, and that their end was to make a confuſion, and give occaſion for a Nationall Councel in *France*; that they were men not well affected, creatures of the King of *Navarre*, ſent by him to the Councell, for his owne deſignes, had proteſted without the Kings Commiſſion and that it was fit to make them ſhew their inſtructions and to frame an *Inquiſition* againſt them, as not having a good opinion in matter of faith. Wherein great differences did ariſe betweene the Ambaſſadors and them. The next day the Ambaſſadors gave the King an account of the cauſes why they had deferred the proteſtation untill then, and how they were forced, at that time, to come unto it, adding, that they would deferre the regiſtring of it in the acts of the Councell, untill his Majeſty had ſeene it, and commanded them what they ſhould doe.

The Legats not having a copy of the Oration made a collection of it by the memory of thoſe who had beene moſt attentive, to ſend it to the Pope; of which *de Ferrieres*, having gotten a copy, complained, that many things were expreſſed againſt his intention, and in particular, where he named Eccleſiaſticall lawes, it was repeated, Spirituall lawes, and that Kings might take Church goods at their pleaſure, whereas he had ſaid onely for neceſſary cauſe. By this he was forced to give forth his Oration, and ſent a copy of it to *Rome*, to the Cardinall of *Loraine*, excuſing himſelfe for not having uſed words of ſuch acrimony as he was commanded in the laſt inſtructions, and in the firſt, which are confirmed in thoſe; adding alſo that he thought it neceſſary to obey the King, and was not willing to undergo the reprehenſions of the Counſellors of Parliament, who would have taxed him, if in a Generall Councell, matters of ſo great importance had beene determined againſt that which hath beene by them ſo exactly maintained; beſides, the Kings authority, which he defended, having beene upheld foure hundred yeeres by the kingdome of *France*, againſt the war, in oppoſition of it, made by the Court of *Rome*, it was not juſt that the Fathers of the Councell, the greater part of whom are Courtiers, ſhould be Judges of the ancient differences, which the kingome hath with that Court. He gave a copy of the oration to the Ambaſſadors alſo, and to as many as did deſire it; and ſome ſaid, that he had pronounced it otherwiſe then it was written. Whereunto he replyed, that that could not be ſaid by any that had any meane underſtanding

ding of the *Latine*, and that, howſoever it was the ſame pronounced, and written, yet if they thought otherwiſe, they muſt remember that the ſtile of the Synod was never to judge of things as they were delivered in voyce, but as they were exhibited in writing, and therefore they ſhould move no controverſie herein, or, if they would, himſelfe was to be beleeved before any other. 1563 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The Oration being publiſhed, it was anſwered in the name of the Synod, by a nameleſſe man. He ſaid, that the French Ambaſſadours had reaſon to compare themſelves to the Ambaſſadours of the *Jewes*, becauſe they had both made an unjuſt complaint againſt God; and that the ſame anſwere might be given them, which the Prophet gave to that people, in the Name of God, that if they had faſted and lamented ſo many yeeres, or ate and drunke, all was for their own intereſts; that the Kings of *France* were cauſe of all the abuſes of that kingdome, by naming to Biſhoprickes unlearned perſons, ignorant in Eccleſiaſticall diſcipline, and more inclined to a laſcivious then to a religious life; that the French-men would not have a reſolution in the controverſies of faith, that Chriſtian doctrine might alwaies be uncertaine; and place might be given to new maſters, who might rub the itching eares of that unquiet Nation, that they ſpared not to ſay in thoſe turbulent times, that it belonged to the King, though very yong as yet, to diſpoſe of all the governement of the Church; that they had ſaid, with aſſeveration, that beneficed men had onely the uſe of the revenues, whereas in *France* time out of minde they have carried themſelves for *Uſufructuaries*, making Teſtaments, and receiving inheritances from their kinsfolke, who die inteſtate; that to ſay the poore are owners of the revenues, was much contrary to another ſaying in the ſame oration, that the King is Patron of all Eccleſiaſticall goods, and might diſpoſe of them at his pleaſure; that it was a great abſurdity, to ſay, that the King might not be reprehended by a generall Councell, ſeeing that *David* was reprehended by the Prophet *Nathan*, and tooke it in good part; that it did a little ſavour of hereſie to taxe Biſhops of theſe later times, as if they were not true Biſhops. In the end, he ſpake at large againſt the ſaying of the Ambaſſador that Kings are given by God, confuting it as hereticall, condemning by the *extravagant* of *Boniface* the eight, *Unam ſanctam*, if he did not diſtinguiſh, that they are from God, but by mediation of his *Vicar*. And anſwered.

The Ambaſſador publiſhed an Apologie in anſwere of this writing, as if it had beene made to the Synod, ſaying, that the Fathers could not anſwere them as the Prophet did the *Jewes*; for they demaunded a reformation of the Clergie, principally in *France*, knowing the defects of it, and not as the *Jewes*, to whom the cauſe of their faſting and lamentation was imputed becauſe they were ignorant of their owne defects; that the Fathers, aſcribing the cauſe of the Eccleſiaſticall deformation to their Kings, ſhould take heed they did not like *Adam*, who layd the blame upon the woman which God had given him for company; ſaying, it was a great fault in the Kings to preſent unworthy Biſhops, but a greater in the Popes to admit them; that they had deſired the reformation before the doctrine, not to leave it uncertaine but becauſe, all Catholiques conſenting therein, they thought it neceſſary to Which cauſeth him to make an Apologie.

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begin with corrupted manners the fountaine and ſource of all hereſies; that he was not ſorry he had ſaid, that, in the Articles propoſed, there are many things repugnant to the ancient Decrees, yea, he would adde, that they did derogate alſo from the conſtitutions of the Popes of later times; that he had ſaid that *Charles* the great, and *Lewis* the ninth, had conſtituted Eccleſiaſticall laws, by which *France* had been governed, not that the preſent King did meane to make new, and if he had, he had ſpoken conformably to the holy Scripture, the civill laws of the Romans, and to that which the Eccleſiaſticall authors, *Greeke* and *Latine*, do write, before the book of the Decrees, for ſaying that beneficed men had only the uſe of the revenues, he asked parcõ, becauſe he ſhould have ſaid that they were only Adminiſtrators, and that thoſe who take his ſaying in ill part, muſt complaine of *Jerom*, *Auſtin*, and the other Fathers, who did not ſay only, that the Eccleſiaſticall goods did belong to the poore, but that Clergy-men, like ſervants, did gaine all for the Church; that he never ſaid that the King had free power over Eccleſiaſticall goods, but that all did belong to the Prince, in time of inſtant and urgent publike neceſſity, and he that knew the force of thoſe words, did underſtand well, that, in ſuch a time, neither requeſt, nor authority of the Pope could take place; that he had reprehended the *Anathema* againſt Kings in that manner as it was ſet down in the Articles, and did grant that Princes and Magiſtrates might be reprehended in that ſort as *Nathan* did, but that they ſhould not be provoked with injuries and maledictions; that having incited them, by the example of *Ezekias*, to make a reformation, according to the paterne of the ancient times, it could not be inferred that he did not thinke the Biſhops of the laſt times to be lawfull, knowing very well that the Phariſes and Popes ſit in *Moyſes* chaire: that in ſaying the power of Kings commeth from God, he hath ſaid abſolutely and ſimply, as the Prophet *Daniel*, and *Paul* the Apoſtle have written, not remembring the diſtinction of *mediate & immediate*, nor the Conſtitution of *Boniface*, of which if he (being a French-man) had thought, he would have repeated what the Stories ſay of the cauſe and beginning of that *extravagant*.

The government of *France* is taxed by the Fathers.

This Apology did not diminiſh the bad opinion conceived againſt the Ambaſſadors, but increaſed it rather, it being (as they ſaid) not an excuſe of the error committed, but a pertinacy in maintaining it. And many diſcourſed not ſo much againſt the Ambaſſadours, as againſt the Kingdome. They ſaid, it did plainly appeare of what mind they were who managed the affaires of *France*. They noted the Queen Mother, that ſhe gave credit to the *Chaſtilons*, eſpecially to him that had quitted the Cardinals Cap; that the Chancellor, and the Biſhop of *Valence* had too much power with her, at whoſe inſtance that unlucky cheeke had beene given to the Parliament of *Paris*, with the detriment of Religion; that ſhe had inward familiarity with *Curſor*, and with his wife, whom, in reſpect of their Religion, ſhe ſhould not have endured to looke upon; That the Kings Court was full of Hugonots, exceedingly favoured; That ſollicitation was ſtill uſed to ſell Eccleſiaſticall goods, to the great prejudice of the Church; and other things they ſaid of this nature.

But while the Councell was in this motion, by meanes of theſe differen-

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ces, the Count of *Luna*, according to his use, to adde difficulties to those which were proposed by others, made instance for the abrogation of *Proponentibus Legatis*. A thing which did much trouble them, because they knew not how to content him, without prejudice of the former Sessions. For not only the revocation, but every modification or suspension, did seeme to be a declaration, that they had not lawfully proceeded in the things past. But the Ambassadour, seeing nothing done concerning his demand, so often made, said, that hitherto he had negotiated modestly, but should be forced to alter his course; and speake more boldly, because the Pope, upon his former instances, had written that they should do that which was convenient, and did wholly referre himselfe unto them. The Legates, to be quit of his importunity, answered, that they would leave it in the liberty of the Councell to make the declaration, if he thought good; and so the name of liberty of the Councel did serve to cover that, which did proceed from others. For the Legates did at the same time use strong perswasions with the Prelates their friends, that a delay might be interposed, to referre this particular to the end of the Councell, and to enjoy the benefit of time, that some overture might be made to some course lesse prejudiciall. But the Count, having discovered the practises, prepared a protestation, desiring the Emperours, French, and Portugal Ambassadors to subscribe it; who perswaded him not to be so earnest, at that time. For *Morone*, having promised the Emperor, that provision should be made herein before the end of the Councell, untill it were understood whether that would be performed or not, they knew not how he could protest concerning the other. And Cardinall *Morone*, to pacifie the Count, sent *Paleotto* often to negotiate with him, in what manner his request might be granted: which himselfe did not well understand; because his meaning was not to prejudice the decrees past, and, with this condition, it was hard to finde a temper. In conclusion, the Legates gave the Count their word that the declaration should be made in the next Session, so that a meanes were found to satisfie the Fathers.

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The abrogation of *Proponentibus Legatis* is promoted againe.

Newes being come to *Rome* of the French protestation, the Pope, and the whole Court were wonderfully moved, thinking it was purposely done to dissolve the Councel, and imputed it unto them. But the Pope complained above all, that while the King did demand a favour, and a grant of a hundred thousand crownes of the revenues of the Clergie of *France*, his Ambassadours should say, in the face of the whole Councell, that he might take them without him. And the Cardinall of *Loraine* was troubled more, because he thought it would be a great crosse to his negotiation with his Holinesse. He laboured to make it appeare, that this did happen against his will, and that he would have diverted it, if he had been in *Trent*, that that instruction was a remnant of the Councels taken in the life time of the King of *Navar*, and the execution procured by the dependants of that faction, of which *de Ferrieres* was one; that that faction, though it professed the Catholike religion outwardly, did hold strict intelligence with the *Hugonots*; who desired a dissolution of the Councel without a quiet end, that they might not be anathematized. But he said, that those who governe the affaires in *Trent*, were not without blame, in regard, that before his departure from that City, the

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things concerning that matter ſtood in good tearmes, the Legates having promiſed two things, with which the Ambaſſadours were contented. One, that they would not ſpeake of Kings, and Soveraigne Princes, but only of certaine little Lords, who grant to Biſhops no exerciſe of Eccleſiaſticall juriſdiction; the other, that all things depending on graces done by the Pope, ſhould be excepted, as *indulgences*, priviledges, and grants of the holy *Sea*, and notwithſtanding, ſince his departure, they had given to the Fathers the firſt forme, with the ſame things in it, which they had promiſed to take away. But he aſſured his Holineſſe, that, notwithſtanding this, the Councel ſhould have a quiet end, and promiſed to write to the King, and complaine of that which was done, and to uſe meanes that the Ambaſſadors ſhould returne to *Trent*, which he hoped to obtaine.

According to this promiſe, he wrote into *France*, and to the Ambaſſadours. Theſe, he told that their action had this excuſe, that it was done but that hereafter they ſhould continue in doing their duty, without making any more innovations. He wrote to the King, that the oppoſition made by the Ambaſſadours ſeemed unto him very ſtrange; and the rather, becauſe they had done it without his privity, and that there was neither reaſon nor occaſion for it; that his abſence from *Trent* was the cauſe why the Ambaſſadours had applied, out of ſeaſon, a ſharpe plaſter, to a ſmall ſore, that, at his returne he would make proviſion therein with great eaſe. But becauſe things done already could not be undone he prayed his Majeſty to write to the Ambaſſadours, to continue in doing their duty, and to abſtaine from violent courſes. He added, that he found the Pope well inclined, and diſpoſed to an holy and ſerious, reformation of the Church; that Chriſtendome was happy in having ſo worthy a *Paſtor*, that he ſent him backe to *Trent*, ſo well inſtructed of all his holy intentions, for the ending and concluſion of the Councel, that he might hope for an happy ſucceſſe. And becauſe, in the end of the Councell, the decrees muſt be ſubſcribed by the Fathers, and Ambaſſadours, who have aſſiſted in the name of their Princes, he deſired the King to cauſe his Ambaſſadours to returne, that they may be preſent, and accompliſh that which is the complement of the protection, and of all the favours done to the Councell by his Majeſty, by his Brother, Father, and Grand-father.

The Cardinall had much adoe to defend himſelfe, not onely with the Pope, But with the Colledge of Cardinals alſo in conſiſtory; who ſaid, that Princes deſired the liberty of the Councell, yet not in the leaſt and juſteſt thing that concerne them, but onely for the deſtruction of the Eccleſiaſtiques. The Pope gave order that better conſideration ſhould be had of that which was to be written to *Trent* about that reformation, ſaying, he did it, not to meddle in the affaires of the Councell, becauſe he meant to let the Fathers alone, but onely to inſtruct the Legats, by way of counſell. But, in the meane while, he wrote to the Legates, that if the French-men would depart, they would doe it, but that they ſhould not give them occaſion, but ſhould be very carefull to hold the Seſſion at the time appointed, when *Loraine* ſhould be returned, and to finiſh the Councell with one Seſſion more, holding it within two or three weekes at the moſt; and that they ſhould conceale

conceale this order, imparting it to none but to *Loraine*. And if the Emperours Ambaſſadours ſhould move them, they ſhould anſwere, that, at the arrivall of that Cardinall, they would reſolve what to do. And he encouraged them, ſaying, that he had brought *Germany* and *France* to his purpoſe, and that nothing remained but *Spaine*, which anſwered, that it was not good to finiſh the Councell, becauſe many things, and the moſt principall did remaine to be handled. Notwithſtanding he had hope, he ſaid, to reduce it, and to conclude the Synod, with a generall ſatisfaction. And indeed he was ſecure of *France* and *Germany*. For beſides his treaty with *Loraine*, who did abundantly ſecure him of *France*, he received at the ſame time a reſolution from the Emperor, that he was content with the end, and would promote it. And howſoever his *Nuncio* adviſed that his Majeſty was doubtfull in reſolving, and that there was danger he would change, yet, underſtanding that the King of the *Romanes* was author of the reſolution, ſaying, that it was good to finiſh it, becauſe it did no good, nor gave any hope that it would do, he was aſſured that that King, mooved by himſelfe, and by good reaſon, would perſevere in his purpoſe, and, by conſequence, keepe his father in that opinion. 1563 PIUS 4. FERDINAND ELIZABETH. CHARLES. 9 PHILIP 2.

But the French Ambaſſadours, after the Oration, did no more appeare publiquely in *Trent*. They let thoſe few Prelats remaining know, that the Kings pleaſure was that they ſhould oppoſe the fifth Article and the ſecond, becauſe the perſons, and cauſes of *France* might, by vertue of thoſe two, be drawne to litigate out of the Kingdome; and the nineteenth, becauſe by it, the *preventions* were canonized, and the Parliaments deprived of their prerogatives, in matter of Benefices.

The Legates, ſo ſoone as the Fathers had made an end of ſpeaking of the 21. Articles, propoſed unto them the others alſo, wherein all the Ambaſſadours oppoſed, in regard of the matter concerning Princes. The Fathers complained, that, being to reforme, as alwaies hath been ſaid, all the Church, in the head and in the members, in the end, the Princes would have no reformation but for the Clergie onely; which could not be reformed neither, if the Prelates were hindred in performing their charges, and the Eccleſiaſticall liberty not preſerved. Notwithſtanding, the Princes, who ſeemed to deſire reformation, did oppoſe that decree which did reſtore unto them their liberty and juriſdiction, neceſſary for it. The Legates excuſed themſelves, and ſaid, they muſt needs give ſome ſatisfaction to the Prelates; that the Ambaſſadours had had time to alleadge their grievances, and to handle the cauſe with reaſon, and that it was too much violence ro oppoſe onely *de facto*, and to ſhew that the Councell is onely for reformation of the Clergie, and not of the whole Church.

Newes came at the ſame time, that the Emperour was very ſicke, and his Ambaſſadors ſaid, that, in caſe he ſhould die, the Councell would not be ſecure, becauſe the ſafeduct would be ended. The Legates ſent preſently to the Pope, for order what to doe, and the Prelates began to thinke more of parting from *Trent*, then reforming Princes. Therefore a Congregation was helde the ſeventh of October, to reſolve what ſhould be done with the other Articles of Reformation, beſides the one and twenty, and eſpecially with

The Emperors ſickneſſe troubleth the Fathers.

1563 with that which concerneth Princes. In which, after long diſcuſſion, it was concluded that the Seſſion ſhould be celebrated with the matter of Matrimony, and the 21. Articles of reformation, and that of the Princes ſhould be deferred. The next day the French Ambaſſadours parted from *Trent* to *Venice*, according to the Kings order.

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The Pope, though well ſatisfied of *Loraine*, and of the French-men, his dependants, yet provoked againſt that faction from which he thought the motive of the proteſtation, made in Councell, came, he reſumed his determination, made at the time of the Edict of pacification with the *Hugonots*, to proceed in *Trent* againſt the Queene of *Navarre*: which he had put off, foreſeeing that the Emperors Ambaſſadors would oppoſe, as they did when mention was made of proceeding againſt the Queen of *England*, and reſolved to put it in execution in *Rome*. And the thirteenth of the moneth he cauſed a ſentence to be publiſhed againſt the five French Biſhops formerly cited, as hath been ſaid, and a citation to be affixed to the gates of Saint *Peters* Church, and in other publike places, againſt *Johan* Queen of *Navarre*, the widow of *Antony*, that, within the terme of ſix moneths, ſhe ſhould appeare, to defend her ſelfe, and to ſhew reaſons why ſhe ſhould not be deprived of all her dignities, States, and Dominions, and the marriage betweene *Antony* of *Isandome*, and her, made void, and the iſſue illegitimate, and that ſhe had not incurred other penalties, declared by the Canons, againſt heretikes. The Cardinall of *Loraine* before the Pope came to thoſe ſentences, and proceſſe, uſed perſwaſions to him, and put him in mind, that the *Maximes* held in *France* did much differ from thoſe of *Rome*. For it would be ill taken in that kingdome, and the cauſe of BB. in the firſt inſtance ſhould be judged in *Rome*, and that the citation againſt the Queen, as well for the ſame cauſe, as in regard it was with temporal puniſhments, would give matter of talke, and bad ſatisfaction to many. But thoſe perſwaſions being underſtood by the Pope, as they were made, brought forth no other fruit, but that which the Cardinall did ſecretly deſire. For the conference, which the Queene Mother ſo much deſired, by every Currier that came from her, new inſtance was made to the Pope. But newes came from the Emperours Court, that he would not hearken unto it; and out of *Spaine*, though complementall words of the Kings deſire to have it effected, yet a reſolution that the times and conjunctures did not comport it. The Cardinall of *Loraine* was of opinion, that howſoever there was no hope, yet the Pope ſhould not forbear to ſend expreſſe *Nuncij* for this purpoſe, as being an office whereon many other negotiations, for the ſervice of the Apoſtolike *Sea*, might depend; and, in particular, to remove impediments of the concluſion of the Councell, in caſe any ſhould ariſe. Whereupon *Viſconte* was diſpatched into *Spaine*, and *Santa Croce* into *Germany*, in ſhew, to treat of this conference, but indeed, with other particular inſtructions.

The proceeding againſt s. BB. in Franc, and the Queene of Navarre.

In *Trent*, the Legats, being not willing to give occaſion of any difficulty while the Seſſion was expected, did propoſe *Indulgences*, *Purgatory*, worſhipping of Saints and Images, not to publiſh the Decrees in the next Seſſion, but in the other following, adding the manner how the Divines ought to handle thoſe matters, that is, to give their opinion in writing only cõcerning the

the uſe of them, and not to ſpeak of the other Articles, and giving order to the Fathers to deliver their voyces in ſhort termes, proteſting that whoſoever would delate beſides the point, ſhould be interrupted. Notwithſtanding the Divines made long writings, and ſo divers, that the Fathers knew not what to reſolve in that doctrine. 1562 PIVS 4 FERDINAND. ELIZABETH CHARLES 9 PHILIP 2

For the reformation, howſoever twenty Articles were concluded, and the one & twentieth treated on with the Count of *Luna*, the Spaniſh Prelats complained that the Article of the exemption of Chapters, and the laſt of the firſt inſtances, and appeales, were altered from that which was noted by the Prelats. Whereat the Legats and Deputies for making the Decrees, diſdaining, anſwered, that either they ſhould juſtifie what they ſaid, or hold their peace. And ſome words of diſtaſt paſſing, the Count of *Luna* appeared in their favour, demanding that the oppoſitions made by his Prelats againſt thoſe two Articles might be conſidered on. Afterwards, he deſired that in the firſt Article, in which the criminall cauſes of Biſhops were reſerved to the Pope, a declaration ſhould be made, that no prejudice ſhould be done to the *Inquiſition* of *Spaine*; which requeſt the Ambaſſador of *Portugal* had firſt made for his Kingdome. And the Legats anſwering, that thoſe matters were already decided, the Count replyed, that if they ſhould be propoſed ſo, he would not go into the Seſſion, nor ſuffer any of his Prelats to enter. Whereupon Cardinall *Morone* ſaid, that if they would not go into the Seſſion, it ſhould be done without them. The Count aſcribing this rigidity of the Legats to the Proctor of the Chapters of *Spaine*, he commanded him to part immediatly from *Trent*; which diſpleaſed the Legats. But that nothing might hinder the Seſſion, the time whereof did draw nigh, to pleaſe the Ambaſſador in the Article of the cauſes of Biſhops, they cauſed Kingdoms, where the *Inquiſition* was, to be excepted. For that of the firſt inſtances, becauſe they would wholly take from the Pope all authority to make commiſſions in *Rome*, the Legats thought it too hard. The ſixt alſo did import very much. For the Chapters of *Spaine* are very principall member, and do more depend on the Apoſtolike *Sea* then Biſhops do; becauſe theſe are all by the nomination of Kings, whereas more than halfe of the Canonries are of the Popes pure collation. Therefore they reſolved to defer this matter untill the next Seſſion, rather than to prejudice the Canons. And they imployed the Emperors Ambaſſadors to perſwade the Count to be content with it, by which meanes that difficulty alſo was overcome.

The declaration of *Proponentibus Legatis* did remaine. For which not being able to find a temper, they told the Count, that he ſhould propoſe a form how he would have it done. Wherein he excuſing himſelfe, they deputed three Canoniſts to treat with him, and to find a meanes that might pleaſe him, ſo that it were not to alter the way preſcribed by the Pope. But the Cardinall of *Lorraine* came fitly for that occaſion; who, being parted from *Rome* with inſtruction and concluſion of all things, and having took *Venice* in his way to perſwade the Ambaſſadors to returne before the end of the Councell, and now arrived in *Trent*, cauſed, with his dexterity, the Count to approve that manner, by which that difficulty, ſo much agitated, received an end, with ſatisfaction of all; and it was made the one and twentieth Article

The Card. of *Lorraine* returneth to *Trent* and haſteneth the end of the Councell.

1563 of reformation, propoſed in the Congregation of the ninth of November held for this purpoſe, and approoved with ſmall reſiſtance. After this, the ſecond Article was taken away; which being done, all the Articles were read over againe, and the ſuffrages briefly delivered. In which, *Loraine*, to ſalve his honor, ſaid, that howſoever he deſired a greater reformation, yet, knowing that in the beginning one could not come to the laſt remedies, he aſſented to the Decrees, not judging them ſufficient, but hoping that the Pope, either by bringing the old Canons into uſe, or by celebrating other generall Councels, would adde a perfection.

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He mak'eth an Oration in praiſe of the Pope.

It is worthy of memory that, in this Congregation, he made a long digreſſion, in forme of an encomiaſticall Oration, of the Popes good wil, of his deſire to ſee the Church reformed, the Epiſcopall degree reſtored to its ancient dignity, and the Councel ended, with the fruit of all Chriſtendome. The Arch-biſhop of *Granata*, when it was his turne to ſpeake, brake out into the Popes commendation alſo, attributing as much unto him as the other, but added, that either the Pope did judge that he could not do as he would, or had not authority to make his miniſters and dependants to execute his will.

The ſtate of the Councel is quite altered.

Here I muſt make a great mutation of ſtile. For whereas in the former narration I have uſed that which is proper to deſcribe variety of minds, and opinions one croſſing the deſignes of another, and delayes of reſolutions interpoſed, framing my ſelfe to declare the counſels of divers, ſometimes contrary amongſt themſelves, hereafter I muſt make relation of one aime only, and uniforme operations, which ſeeme rather to fly then run to one onely end, whereof I can give but one cauſe, not to repeat it in all places, that is; the joynt reſolution to precipitate the Councell.

Therefore to ſpeak ſimply, I muſt ſay, that Letters came from the Pope, with reſolution that the Councell ſhould be ended, though with diſtaſt of the King of *Spaine*, becauſe he had means to make an agreement with him that they ſhould eſtabliſh the Decree of ſecret marriage, with as much union as was poſſible, but yet to doe it, though the ſame oppoſition ſhould continue; that for the reformation of Princes, and reſtitution of Eccleſiaſticall juriſdiction and liberty, they ſhould not deſcend to any particular, but renew the ancient Canons, and without *Anathemaes*; that if any difficulty did ariſe, concerning the other Articles, they ſhould reſerve it for him, who would make proviſion therein; referring them, for the reſidue, to the Cardinall of *Loraine*, who was fully informed of his whole will, whom they ought to beleeve. Afterwards, he ſent a forme in what ſort they ſhould finiſh the Councell; which did containe, that all things done under *Paul* and *Julius* ſhould be confirmed, and declared that they were all done in this one Councell, and that, in all things, the authority of the Apoſtolike *Sea* ſhould be preſerved; that of the things decreed the Popes confirmation ſhould be demanded; that all the Fathers ſhould ſubſcribe, and, after them, according to the example of the ancient Emperors, there ſhould be a ſubſcription of the Ambaſſadors, that the Princes might be bound to the obſervance of the Decrees, and to perſecute with armes thoſe of the contrary religion, leaving it in the power of them, the Legats, together with *Loraine* to adde, diminiſh, or alter, according to opportunity. All which things were

were kept moſt ſecret untill after the Councell, that they might manage them the better, as ſhall be ſaid. 1563

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The eleventh of November came, in which the Seſſion was held with the uſuall ceremonies. Voyces beeing to be given in the matter of clandeſtine mariage, Cardinall *Varmienſe*, who held it a matter of faith, and thought the Church had no authority over it, would not be preſent, excuſing himſelfe, that in a matter of poſſitive law, he thought it not inconvenient to deliver his mind freely, though the contrary were decreed, but in this he ſhould be forced to ſay, for ſatisfaction of his conſcience, that the Synod could not make that Decree, which might have cauſed ſome diſtaſtes ſuch as he was not willing to give. *Francis Richardot* made the Sermon; in which he admoniſhed the Fathers, that, this moſt holy Synod having been in travaile theſe two yeares, and every one being in expectation of what it will be delivered, it was not fit it ſhould produce a mangled or maimed child, becauſe the world doth expect a ſound and perfect iſſue. For effecting hereof, it was convenient to imitate the Apoſtles, Martyrs and Primitive Church, making them a patterne whence to take the lineaments of the infant which is to come into the world. Theſe were (hee ſaid) doctrine, religion and diſcipline, all which being degenerated in theſe times, muſt be reſtored to their ancient integrity. And that this is it which hath been expected ſo long, and is expected ſtill. The ceremonies being ended, the letters of Madam, Regent of *Flandres*, concerning the ſending of three Prelates to the Councell, were read, as alſo the Mandates of the Duke of *Florence*, and of the grand Maſter of *Malta*. Afterwards the Doctrine and the *Anathematiſmes* of Matrimony were read by the *Maſſe* Biſhop, to which all conſented. The Articles of reformation of Matrimony being read, to the firſt, of the annullation of the clandeſtine, Cardinall *Morone* ſaid, that it pleaſed him, if it pleaſed the Pope. *Simoneta* ſaid, it did not pleaſe him, but referred himſelfe to the Pope. Of the others ſixe and fifty did abſolutely deny, and all the reſt did approve it.

The Seſſion.

Variety of opinions about clandeſtine mariages.

Afterwards the Decrees of reformation were read. And being come to the fiſt, of the criminall cauſes of Biſhops, perceiving the Kingdomes, where the Inquiſition is, were excepted, a great commotion was raiſed amongſt the Fathers, the Lombards and Neapolitains ſaying confuſedly, that that exception was never propoſed in Congregation, and that it ought to be removed; which they were forced preſently to do. Afterwards, the Cardinal of *Loraine* ſaid, concerning the ſame point, that he did approve the Decree, upon condition that it did not prejudice any of the priviledges, rights and conſtitutions of the Kings of *France*, as had been concluded in the Congregation the day before, declaring that they did not prejudice the authority of any Prince. And, in the end of the Decrees, hee made a proteſtation, in his own name, and of the other French Prelates, wholly comformable to that other, made two dayes before, in the Congregation; that is, that their nation did receive thoſe Decrees, not as a perfect reformation, but as a preparation to one entire, hoping the Pope would ſupply the defects in time, and occaſion, by bringing into uſe the old Canons, or by celebrating other generall Councels, to give a perfection to the things begun. And he deſired,

The Decrees of reformation.

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in the name of all the French Biſhops, that this might be inſerted in the acts of the Councell, and a publique inſtrument made of it. Divers other things were added by others, and ſome oppoſitions, of no great moment; made againſt ſome of the Articles; wherein ſome differences ariſing, it was ſaid, they ſhould be accommodated in a generali Congregation, becauſe it was then late two houres within night. And for the concluſion of the Seſſion, the Decree of the intimation of the next, for the ninth of December, was read, with power to anticipate, declaring that the ſixth Article now deferred, and other Articles of reformation exhibited, and other things belonging thereunto, ſhould then be handled; adding that in caſe it ſhall ſeeme fit, and the time comport, ſome doctrines may be handled, as they ſhall be in their times propoſed in the Congregations.

The doctrine of the Sacrament of Matrimony did containe. That *Adam* did pronounce the bond of Matrimony to be perpetuall, and that onely two perſons may be joyned therein, a thing more plainely declared by Christ, who alſo by his paſſion, hath merited grace to confirme it, and to ſanctifie thoſe who are joyned. Which is intimated by Saint *Paul*, when he ſaid, that this was the great Sacrament in Christ and the Church. Whereupon Matrimony in the Evangelicall Law, exceeding the ancient mariages, by addition of grace, it is juſtly numbred amongſt the Sacraments of the new Law. Therefore the Synode, condemning the hereſies in this matter, doth conſtitute the *Anathematiſmes*. 1. Againſt him that ſhall ſay, that Matrimony is not one of the ſeven Sacraments, inſtituted by Christ, and doth not conferre grace. 2. Or that it is lawfull for Chriſtians to have many wives at once, and that this is not forbidden by any Law of God. 3. Or that onely the degrees of affinity, and conſanguinity, expreſſed in *Leviticus* may nullifie the mariage, and that the Church may not adde others, or diſpence with ſome of them. 4. That the Church cannot conſtitute impediments, or hath erred in conſtituting them. 5. That one of thoſe who are maried may diſſolve the Matrimony, for hereſie, troubleſome converſation, or voluntary abſence of the other. 6. Or that lawfull matrimony, not conſummated, is not diſſolved by a ſolemne religious vow. 7. Or that the Church hath erred in teaching, that the matrimoniall bond is not diſſolved by adultery. 8. Or that the Church doth erre, in ſeparating thoſe who are maried for a determinate or indeterminate time, in reſpect of carnall conjunction, or cohabitation. 9. Or that the Eccleſiaſtiques of holy *Order*, or profeſſed Regulars may marry, as alſo all thoſe who finde they have not the gift of chaſtity, in regard that God doth not deny the gift to him that doth demand it. 10. Or that ſhall preferre the ſtate of mariage, to virginity, and chaſtity. 11. Or that the prohibition of mariage, in certaine times of the yeere, is ſuperſtition, or ſhall condemne the benedictions and other ceremonies. 12. Or that matrimoniall cauſes doe not belong to Eccleſiaſticall Judges.

The Decrees of the reformation of Matrimony did containe. 1. That howſoever it be true, that clandeſtine mariages have beene true and lawfull, ſo long as the Church hath not diſallowed them, and that the Synod doth *anathematize* him who doth not hold them for ſuch, as alſo thoſe who affirme,

affirme that mariages, contracted without consent of parents, in whose power the maried parties are, is voyd, and that the Fathers may either approve or disprove it, yet the Church hath ever forbid, and detested them. And because prohibitions do no good, the Synod doth command, that the matrimony shalbe denounced in the Church three Festivall dayes, before it be contracted, and no impediment being found, shall be celebrated in the face of the Church, where the Parish Priest having interrogated the man and the woman, and heard their consent, shall say, *I joyne you in matrimony in the name of the Father, Son and holy Ghost*; and shall use other words, accustomed in the Province. Notwithstanding the Synod doth referre it to the will of the Bishop, to omit the *Banes*; but doth declare those to be uncapable of mariage, who attempt to contract it without the presence of the Parish Priest or another Priest of equall authority, and of two or three witnesses, making void and nullifying such contracts, & punishing the transgressors. Afterwards, it doth exhort the parties maried, not to dwell together, before the benediction, and command the Parish Priest to have a book, in which mariages, so contracted shalbe written. It doth exhort the parties that are to be maried, to confesse & communicate before the contract, or consummation of the mariage, reserveth the customes and ceremonies of every Province; and will have this Decree to be of force within thirty dayes after it shall be published in every Parish. 1563 PIVS 4 FERDINAND ELIZABETH CHARLES 9 PHILIP 2 The Sessions.

Secondly, concerning the impediments of mariage, the Synod doth affirme, that the multitude of prohibitions did cause great sins and scandals. Therefore it doth restraine that of spirituall cognation, to that which the baptized and their parents have with the god-fathers and god-mothers, and the number of these, to one man and one woman only. Ordaining the same about the kindred which doth arise by the sacrament of confirmation. 3. It doth restraine the *impediment of honesty*, which hath its beginning from contracts, to the first degree only. 4. That of affinity by fornication, to the first and second. 5. It doth take away all hope of dispensations for matrimonie, wittingly contracted in degrees prohibited; and to those who have ignorantly contracted, without the solemnities, in case of probable ignorance, a dispensation may be given *gratis*. But to contract in degrees prohibited, a dispensation shall never bee granted, or seldome only, for a just cause, without cost; nor in the second degree amongst Princes, except for a publique cause. 6. Matrimony shall not be contracted with a woman stollen away, so long as she is in the power of him that did steale her; and doth declare those *Raptors*, and those that do assist them with counsell, aid, or favour, excommunicated, infamous, uncapable of all dignity; and the *Raptor*, whether he mary the woman or not, shall be bound to give her a dowry, at the pleasure of the Judge. 7. It doth ordaine, that vagabonds shall not marrie, without a diligent inquisition first made, and licence of the Ordinary, exhorting the secular Magistrates to punish thē severely. 8. It doth ordaine against *Concubinaries*, that being admonished thrice by the Ordinary, in case they separate not themselves, they shall be excommunicated; and persevering one yeare after the censure, the Ordinary shall proceed severely against them, and the *Concubines* after three admonitions, shall be punished,

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niſhed, and, if the Biſhop ſhall think fit, chaſed alſo out of the Territory, by aſſiſtance of the ſecular power. 9. It commandeth every temporall Lord and Magiſtrate, upon paine of excommunication, not to compell their ſubjects, or any others, to marry, directly or indirectly. 10. It doth reſtraine the ancient prohibitions of nuptiall ſolemnities, from *Advent*, to the *Epiphany*, and from *Aſh-wedneſday*, to the *Octaves* of *Eaſter*.

The Decrees of reformation, not as they were read in Seſſion, but as they were corrected the next day in Congregation (which was appoynted to be done) did containe. 1. That publike prayers ſhall be made, though the Church be vacant, that whoſoever have right in the promotion, ſhalbe admoniſhed that it is a mortall ſin if they ſhall not uſe all diligence to promote the moſt worthy, and profitable for the Church, borne of lawfull matrimony, worthy in regard of their life, age, doctrine, and of other qualities required by the holy Canons, and Decrees of this Councell. That in every provinciall Synod, a form of examination ſhalbe preſcribed, by approbation of the Pope, fit for every place, and the examination made according to that preſcript ſhalbe ſent to the Pope, to be diſcuſſed by the Cardinals, and propoſed in Conſiſtory; and all other things required by the Synod for age, life, doctrine, and other qualities in the promotion of BB. ſhalbe required in the creation of Cardinals, though but Deacons, which the Pope, if he can conveniently, ſhall take out of all Nations, and thoſe that are fit. And it was added; that the Synod being grieved to ſee ſuch great incommodities of the Church, cannot chooſe but call to mind, how neceſſary it is, that the Pope, in regard of his duty, ſhould endeavour to aſſume Cardinals of excellent worth, and to provide the Church of fit Paſtors, becauſe if the flock ſhould periſh by their negligence, Chriſt will demand an account of his Holines. 2. That the Provinciall Councell ſhall be called by the Metropolitane, or the moſt ancient Suffragane, within one yeare at the moſt after the end of this Synod, and afterwards every two yeares at the leaſt. That Biſhops ſhall not bee forced hereafter to go to the Metropolitane Church. That thoſe who have not an Archbiſhop ſhall elect one in the provincial Synod, in which hee ought to aſſiſt, and receive the conſtitutions thereof, their exemptions and priviledges otherwiſe remaining firme. And the Dioceſan Synods ſhall bee celebrated every yeare, in which the exempted, except thoſe who are ſubject to general Chapters, ſhall aſſiſt. Which general Chapters having ſecular Churches annexed, in regard of them, ſhall aſſiſt alſo. 3. Biſhops ſhall be bound to viſite the Dioceſſe every yeare, either in perſon, or by viſitors, and all of it, if they can, or, if it be large, in two yeares at the leaſt. Metropolitans ſhall not viſite the Dioceſſe of the Suffragans, but for a cauſe, approved in the provinciall Councell. The Arch-deacons, and other inferiours, ſhall viſite in perſon, and ſhall take a Notary, by conſent of the Biſhop. The Viſitor ſhall goe with a modeſt traine of men, and horſes, diſpatching the viſitation as ſoon as may be; and ſhall not receive any thing but frugall and moderate diet, which may be given either in kind or money; yet ſo, as that if there bee a cuſtome in any place not to receive ſo much as theſe, it ſhall be obſerved alſo. That Patrons ſhall not meddle with that which concerneth the adminiſtration of Sacraments, or the viſitation

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of the ornaments of the Church, immoveable goods, or rents of houſes, except it doe belong unto them by right of the foundation. 4. That Biſhops ſhall be bound to preach in perſon, or having a lawfull impediment, by others. And in caſe the Pariſh Prieſt be hindred that he cannot preach in his owne Church, he ſhall, at his charge, maintaine another to doe it, deputed by the Biſhops. And he ſhall preach every Sunday and ſolemne feaſt, and in *Advent* and *Lent*, every day, or thrice a week at the leaſt. That the Biſhop ſhall admoniſh every one to go to his own Pariſh, to hear the Sermon. That none ſhall preach againſt the Biſhops wil, whoſe care ſhall be, that Chriſtian doctrine be taught in every Pariſh. 5. That criminall cauſes againſt Biſhops that be of great weight, ſhall be judged by the Pope, and if there ſhall be occaſion to commit them to any out of the Court, they ſhall be committed only to the Metropolitan, or to Biſhops elected by the Pope, and to take information only, reſerving the definitive to the Pope: but ſmall matters ſhall be judged in the Provinciall Councell, or by Judges deputed by them. 6. That the Biſhops ſhall diſpence in the Court of Conſcience, with all their ſubjects, in all their irregularities, and ſuſpenſions for ſecret offences, except voluntary murther, and abſolute from all cauſes reſerved to the Apoſtolike *Sea*, either by himſelfe or his Vicar, as alſo from the exceſſe of hereſie, by himſelfe, but not by a Vicar. 7. That the Biſhop ſhall have care that the force and uſe of the Sacraments ſhall be expounded to the people in the vulgar tongue before they be adminiſtred, according to the forme of a Catechiſme, which the Synod will compoſe, which the Biſhop ſhall cauſe to be faithfully tranſlated into the vulgar, and to be expounded to the people by the Pariſh Prieſts. 8. That to publike offenders publike Penance ſhall be given, but the Biſhop ſhall have power to change it into a ſecret. In every Cathedrall Church a *Penetentiary*, Maſter, Doctor, or Licentiate in Theologie, or Canon, of the age of fourty yeeres, ſhall be appointed by the Biſhop. 9. That the Decrees of the Councell, under *Paul* the third, and *Pius* the fourth, concerning viſitation of benefices exempted, ſhall be obſerved in the Churches which are not of any Dioceſſe, which ſhall be viſited by the next Biſhop, as Delegate of the Apoſtolike *Sea*. 10. That where viſitation or correction of maners is in queſtion, no exemption or appeal, though to the Apoſtolike *Sea*, ſhall hinder or ſuſpend the execution of that which is decreed or adjudged. 11. That for titles of honor which are given to Protonotaries, Count *Palatines*, Kings Chaplaine, or ſervants in war, Monaſteries, Hoſpitals, thoſe perſons ſhall not be exempt from the authority of Biſhops, except they ſhall reſide in their houſes, or under their obedience, and Kings Chaplains, according to the conſtitutions of *Innocentius* the 3. And exemptions granted to the ſervants of Cardinals, ſhall not be extended to that which concerneth benefices. 12. That no perſon under the age of twenty five yeeres, ſhall be promoted to dignities with cure; and the Arch-deacons, if it may be, ſhall be Maſters in Theologie, or Doctors, or Licentiate in the Canon Law. And none, under the age of two and twenty yeers, ſhall be promoted to any dignity without cure. Thoſe that are promoted to Benefices with cure, ſhall bee bound to make confeſſion of their faith within two moneths: and Canons ſhall do the ſame. And none ſhall be received to any dignitie,

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dignity, Canonry, or portion, except he ſhall have that order, which it doth require, and that age which is neceſſary for the receiving of it. That in Cathedrall Churches, all the Canons and Portionaries ſhal be Prieſts, Deacons, or Subdeacons, and the Biſhop, with the *Chapter*, ſhall diſtribute how many ſhall be of every order, but ſo, as that one halfe at the leaſt ſhall be Prieſts. The Synod doth exhort alſo, that all the dignities, and halfe the Canonries in the Cathedrall and famous Collegiat Churches may be conferred upon Doctors in Divinity, or in the Canon Law, and that none may be abſent more then three moneths in the yeere. That the dayly diſtributions may not be given upon any pretences whatſoever, to any that hath not been preſent in the offices, and that every one ſhall performe his office in his owne perſon, not by ſubſtitutes. 13. There being many poore Cathedrall Churches, a remedy ſhall be conſulted on in the Provinciall Councell, and the Pope deſired to make proviſion according to his wiſedome. The Biſhop alſo ſhall have care to provide for poore Pariſh Churches, either by union of ſome Benefice not regular, or by aſſignation of firſt fruits, or tithes, or by contributions and collections of the Pariſhioners. Pariſh Churches ſhall not be united to Monaſteries, Canonries, ſimple benefices, and religious orders of Souldiers, and thoſe that are united ſhall be reviewed by the *Ordinaries*, and the Cathedrall Churches, not exceeding a thouſand crownes, and the Pariſh Churches, not exceeding an hundred crownes, ſhall not be hereafter burthened with penſions, or reſervations of fruits. Where the Pariſhes have no certaine confines, but the Sacraments are adminiſtred indifferently to thoſe that do demand them, the Biſhop ſhall confine them, and they ſhall have their proper Pariſh Prieſt. And in Cities which have no Pariſhes, they ſhall be erected as faſt as may be. 14. The Synod doth deteſt, and forbid all inſtitutions or cuſtomes for paying any thing for the obtaining of titles, or poſſeſſions, except it be converted into pious uſes, declaring them to be ſimoniacall who ſhall uſurpe herein. 15. In Cathedrall and Collegiate Churches, where the Prebends and diſtributions are too ſmall, the Biſhop ſhall have power to unite ſimple Benefices, or to reduce them to a ſmaller number. 16. The Epiſcopall *Sea* being void, the *Chapter* ſhall elect one or two *Economickes*, or a Vicar, within eight dayes, or, if not, this authority ſhall be devolued to the Metropolitane. And the Biſhop when he ſhall be created, ſhall take of them an account of the adminiſtration, and puniſh them, if they have offended. 17. That no Eccleſiaſticall perſon, though a Cardinall, ſhall have more then one Benefice, which not being able to maintaine him honeſtly, another ſimple benefice may be added, ſo that they doe not both require perſonall reſidence, which ſhall be underſtood of all Benefices, as well ſecular as regular, of what title or quality ſoever, though commended. And he that hath now more Benefices then one, ſhall be bound to leave all but one, within ſix moneths, or if not, they ſhall be all voyd. Notwithſtanding, the Synod doth deſire that ſome proviſion ſhould be made for thoſe that reſigne, in ſome convenient manner, as ſhall ſeeme beſt to the Pope. 18. In caſe of vacancy of any Church in any manner whatſoever, all ſhall be written downe that are propoſed or do propoſe themſelves, and ſhall be all examined by the Biſhop with three examiners, at the leaſt, and amongſt

amongſt all thoſe which ſhalbe judged fit, the Biſhop ſhall elect the moſt ſufficient, upon whom the collation of the Church ſhall be made; and, in Eccleſiaſticall patronages, the Patron ſhall preſent to the Biſhop him that is moſt worthy. But in Laicke patronages, he that is preſented by the Patrons, ſhall be examined by the examiners, and not admitted, except he be found to be fit. And ſix Examiners ſhall be propoſed every yeere in the Dioceſan Synod, of which the Biſhop ſhall elect three, who ſhall be Maſters, or doctours, Secular or Regular, ſhall ſweare to performe their duty, and ſhall not receive any thing, either before or after the examination. That expectative graces for Benefices ſhall not be granted hereafter, nor any other, extending to Benefices that ſhall be vacant; and withall, the mentall reſervations ſhall be prohibited. 19. That cauſes Eccleſiaſticall, even beneficiall alſo, ſhall be judged by the Ordinary in the firſt inſtance, and ended within two yeeres at the moſt. That there ſhall be no appeale but from the definitive ſentence, or from that which ſhall have the force thereof, except in thoſe which the Pope ſhall thinke fit to call to himſelfe, for an urgent and reaſonable occaſion. That matrimoniall and criminall cauſes ſhall be reſerved to the Biſhop onely. That in matrimoniall, thoſe that are prooved to be poore, ſhall not be forced to litigate out of the Province, neither in the ſecond or third inſtance, except the adverſe part will allow food and charges of the ſuit. That the Legats, *Nuncij*, and Eccleſiaſticall governours, ſhall not hinder Biſhops in their cauſes, nor proceed againſt Eccleſiaſticall perſons, but in caſe of the Biſhops negligence. That the Appellant ſhall be bound to bring at his charge, the acts made before the Biſhop, to the Judge of the appeal, which The Notary, being conveniently payed, ſhall be bound to give within one moneth at the fartheſt. 20. That in the words of the decree, made in the firſt Seſſion under the preſent Pope *Pius* the fourth, that is, *Proponentibus Legatis*, the meaning of the Synod was not to change in any part the uſuall manner of handling matters in generall Councels, nor to adde or detract any thing, beſides that which hath been conſtituted heretofore by the ſacred Canons, and by the generall Synods. In the end, the next Seſſion was intimated for the ninth of December, with power of anticipation to handle the ſixt Article, and the other which were propoſed, and deferred, and other points alſo, as opportunity ſhould ſerve, and as they ſhould be propoſed in Congregation.

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There was not ſuch expectation of the iſſue of this Seſſion, as of the laſt, as well becauſe the generall curioſity was then ſatisfied, as becauſe it did ſeeme that the matter of Matrimony could not affoord any thing of any great obſervation. The world was more attentive to ſee what iſſue the proteſtation made by the French Ambaſſadors would have: which was read with variety of affections. Thoſe who were ill affected to the Court of *Rome*, did commend it, as true, and neceſſary. But the Popes adherents thought it as abominable, as the Proteſtations formerly made by *Luther*.

In the ſixt *Anathematiſme* of Matrimony, many did wonder, that the diſſolution of mariage not conſummated, for a ſolemne vow, ſhould be made an Article of faith, becauſe the matrimoniall conjunction, though not conſummated by carnall copulation, is a bond inſtituted by the Law of God. The cenſure of the Decrees.

For

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For the Scripture doth affirme, that there was a true marriage betweene *Mary* and *Joſeph*, and the ſolemnity of the profeſſion being *de jure poſitivo*, as *Boniface* the eighth hath decreed, it ſeemed ſtrange, not ſo much that an humane bond ſhould diſſolve a divine, as that he ſhould be condemned for an hereticke, who will not beleeve, that an invention of man, borne many hundred yeeres ſince the *Apoſtles*, ſhould prevaile againſt a divine inſtitution, made at the creation of the world.

In the ſeventh it was thought to be a captious ſpeech, to condemne for an hereticke him that ſhall ſay that the Church hath erred, in teaching that, Matrimony is not diſſolved by adultery. For if one ſhould ſay abſolutely, that Matrimony ought to be diſſolved for that cauſe, without ſaying or thinking that one hath erred, or not erred in teaching the contrary, it ſeemeth that this man ſhould not be comprehended: and yet it doth not appeare how one can thinke ſo, except he hold the contrary to be an errour. It was judged, that they ſhould have ſpoken plainely, and ſaid abſolutely, that it is not diſſolved by adultery, or that both opinions are probable, and not to make an Article of faith concerning a word onely. But theſe men would not have made the difficulty, if they had knowne the cauſes before mentioned, why they did ſpeake in that manner.

The ninth Canon did affoord matter of ſpeech alſo, by that affirmative, that God doth not deny the gift of chaſtity to him that doth demaund it aright, becauſe it did ſeem to be contrary to the Goſpel, which affirmeth that it is not given to all; and to Saint *Paul*, who doth not exhort to demand it, which was more eaſie then to marry.

The Polititians knew not what to thinke of the twelfth *Anathematiſme*; that it ſhould be hereſie to hold that matrimoniall cauſes doe not belong to Eccleſiaſticall Judges, it being certaine, that the Lawes of marriage were all made by the Emperors, and the judicature of them adminiſtred by the ſecular Magiſtrates, ſo long as the *Roman* lawes were in force; which the reading only of the *Theodoſian* and *Juſtinian Codes*, and of the *Novels*, doth evidently demonſtrate. And in the formes of *Caſſiodore*, there is mention of termes uſed by the *Gothiſh* Kings in the diſpenſations of degrees prohibited, which then were thought to belong to civill governement, and not to be matters of religion, and to him that hath any skill in ſtory, it is moſt knowen, that the Eccleſiaſtiques began to judge cauſes of this nature partly by commiſſion, and partly by negligence of Princes and Magiſtrates.

But in the beginning of the Decree of reformation of Matrimony, many wondered, how it could be defined as an Article of faith, that clandeſtine marriages are true Sacraments, and that the Church hath alwayes deteſted them, becauſe it doth imply a contradiction to deteſt Sacraments And to command that the Pariſh Prieſt ſhould interrogate thoſe that are joyned, and underſtanding their conſent, ſhould ſay, *I joyne you in Matrimony in the Name of the Father, Sonne, and holy Ghoſt*, was derided by the criticks; ſaying, that either they are joyned by thoſe words, or not; if not, then that is not true which the Councel of *Florence* hath determined, that matrimony receiveth perfection from conſent; if ſo, what conjunction is that which the Prieſt maketh of perſons joyned before. And if the word, I joyne, ſhould be

be expounded, I declare them joyned, a way would be laid open to conclude, that the words of the absolution are declaratory also. But howsoever it was, they said the decree was made to no other end, but that within a short time it might be made an Article of faith, that those words pronounced by the parish Priest were the forme of the Sacrament. 1563 PIUS 4. FERDINAND. ELIZABETH. CHARLES. 9 PHILIP 2

For making void clandestine marriages, they spake as much as was spoken of it in the Councell it selfe. For some did extoll the decree to the heavens; and others said, that if those matrimonies were Sacraments, and consequently instituted by CHRIST, and the Church hath alwayes detested them, and finally made them voyd, it did not appeare how those who had not made provision for it in the beginning, could be excused from the blame of ignorance, or negligence. And when the distinction, on which they founded the decree, was published, that the contract was nullified, which is the matter of the Sacrament, it was hard to understand a long time, because the matrimoniall contract hath no distinction from the matrimony, nor the matrimony from the Sacrament: and the rather, because the matrimony was indissoluble before it was a Sacrament, in regard CHRIST doth not pronounce it insoluble, as instituted by him, but as by GOD, in the earthly Paradise But, it being admitted, that the Matrimoniall contract is an humane and civill thing, separate from the Sacrament, which is nullified, some said this annullation would not belong to the Ecclesiasticall Judge, but to the Secular, to whom the discussion, and cognition of all civill contracts doth appertaine.

The cause alleadged to moderate the impediments of marriage, was much commended, as reasonable; but it was observed withall, that it did necessarily conclude many more restrictions then those that were decreed, in regard there are no lesse inconveniences by the impediments confirmed, then by those that were abolished. The end of the Article of matrimoniall dispensations mooved a vaine question in the curious, whether the Pope, by reserving them to himselfe alone, did more good or hurt to his authority. For the good, was alleadged the great quantity of gold which did flow into the Court, through this chanell, and the obligations of so many Princes, gained by this meanes, as to be satisfied in their appetites, or interests, so to defend the Papall authority, on which onely the legitimation of their children was grounded. For the hurt, the losse of the revenues of *England*, and of the obedience of that Crowne was produced, which did weigh downe all gaine or friendship, which the dispensations might procure.

The French men did not like the decree, that he that stealeth a woman shall be bound to endow her, at the pleasure of the Judge, saying, that the Law concerning dowries, cannot be made by Ecclesiasticall authority, and that it was an artifice to take the judicature of that delict from the secular Magistrate. For if the Ecclesiastique may make the Law, he may judge the cause. And howsoever they said absolutely, at the pleasure of the Judge, yet there is no doubt, but that in the declaration, they would say they meant the Ecclesiasticall only. And they thought it an usurpation of temporall authority, to punish Seculars with infamy, and incapacity of dignities. Neither did they approove the constitution against *concubinaries*, persevering a yeere

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in excommunication, that they ſhould be puniſhed by the Eccleſiaſtique, becauſe excommunication is the extreme, laſt and greateſt of Eccleſiaſtical puniſhments, according to the doctrine of all the Fathers; ſo that to paſſe that, was to enter upon the Temporall power, and the rather, becauſe they give themſelves power to courſe concubines out of their countreys, deriding the ſecular Magiſtrates, by imploring their arme, if there ſhall be need; which is as much as to affirme, that, ordinarily, the execution of this baniſhment may be made by the Eccleſiaſtique himſelfe.

The Decree of reformation in the firſt Article was noted either of defect, or of preſumption. For if the Synode had authority to give Law to the Pope, eſpecially in things ſo juſt, it was not fit to doe it by way of narration, or by obloquity of words. But if it ought to receive Law from the Pope, it cannot be excuſed for having paſſed its bounds, becauſe it doth ſharpely reprehend the former actions of this and other Popes, though it doth it obliquely: Thoſe that were ſeene in the Eccleſiaſticall ſtories, ſaid, that to draw all the cauſes of Biſhops to *Rome*, was a new policy to make the Court great, whereas all the examples of antiquity, and Canons of the Counſels of thoſe times doe ſhew, that the cauſes of Biſhops, though of depoſitions were handled in the Countries of each of thẽ. Thoſe who expected a proviſion againſt the abuſe of penſions, ſeeing what was decreed in the 13 Article, did judge that the matter would paſſe to a greater corruption as the event alſo hath ſhewed. The fourteenth Article was commended by every one, becauſe it did ſeeme to take away the *Annates*, and paying for *Bulls*, diſpatched at *Rome*, for collation of Benefices. But in progreſſe of time, it appearing that thoſe remained ſtill, and that there was not ſo much as any cogitation either to remove or moderate them, the remembred, that, onely the ſmall abuſes of other Churches being provided againſt, the ſaying was verified, that onely moates were taken out of the eyes, and beames never. Every wiſe man thought that this age was not worthy of that Decree for the unity, or, at the moſt, dualty of Benefices, and that it would not be obſerved but in the poorer ſort onely. Likewiſe for the examination in concurrence, in the collation of Benefices, every one did prognoſticate that it would be deluded by ſome ſiniſter interpretation. And the prophecy was quickly verified. For in *Rome*, within a ſhort time, they began to declare, that concurrence was not to be obſerved in caſe of reſignation, but that hee onely was to be examined, to whom the reſignation was made; which was as much as to aboliſh the Decree for the moſt part, becauſe the better ſort were excluded by reſignation, and he onely preferred who pleaſed the reſignant: and Benefices are not vacant for any other cauſe but caſually. The Decree of the cognition of cauſes in the firſt inſtance was quite deſtroyed, by the exception added, that is, except thoſe which the Pope will commit, and call to himſelfe. For cauſes were never taken from the lawfull tribunals, but by commiſſions, and avocations of Popes; and now the cauſe of the diſeaſe was preſerved, and the *Symptom* only cured. And howſoever the adjunct (for urgent and reaſonable cauſes) did ſeem to moderate the matter well, yet men of underſtanding knew, that it was as much as to ſay, for any arbitrary cauſe.

But

But in the laſt point, which was in expectation ſo many moneths, touching the eſſentiall liberty of the Councell, ſeeing it was declared, that the meaning of the Synod was, not to change the manner of proceeding, nor to make any addition, or diminution of the old conſtitutions, wiſe men ſaid, that concerning this Councell it was a declaration contrary to the fact, and publiſhed when it did no good: neither was there any more uſe of it, then of a medicine applyed to a dead body. And ſome mocked, and ſaid, that it was as much as the conſolation of an honeſt man, whoſe wife had brought him children by other men, and ſaid ſhe did it not to doe him wrong. But, by an example given to poſterity, it did teach how all violence, and exorbitancy might be uſed in Councell, from the beginning to the end, and all inconvenience done excuſed by ſuch a declaration, yea juſtified, and maintained for lawfull. 1563 PIVS 4 FERDINAND. ELIZABETH. CHARLES 9 PHILIP 2

At this time, beſides the advice of the Seſſion held, three other ſorts of diſtaſtfull newes came into *France*. The firſt was the Popes anſwer about the hundred thouſand crowns. The ſecond, the proteſtation made in Councell, and the diſpleaſure taken at it, in *Trent*, and *Rome*. The laſt, was the ſentence againſt the French Biſhops, and the citation of the Queen of *Navarre*: The French-men, having much conſidered on theſe things, reſolved not to treat any more with the Pope for his favour in the alienation, but to execute the Kings Edict, approved in Parliament, without any conſent of his Holineſſe. This being ſuddenly performed, few buyers could be found, as well becauſe men do not eaſily reſolve to lay down their money, as becauſe they were diſſwaded by the Eccleſiaſtikes, who told them, that the ſale, wanting the Popes confirmation, would not hereafter be eſteemed to be good. This was a hinderance to the King, and no favour to the Clergie. For the ſale was made, but it was done at a low rate; neither was there raiſed more then two millions, and halfe of Francks, ſmall, in regard of the things alienated, ſeeing that it was made at twelve for an hundred, whereas it had been a ſmall price if they had given an hundred for foure. And it is worthy to be repeated heere, that, amongſt the things ſolde, one was, the juriſdiction which the Arch-biſhop of *Lions* had held unto that time, over that citie, which was ſold at the outcry of thirty thouſand Francks. But the Biſhop complained ſo much that, in ſupplement of the price, he had given unto him 400 crownes yeerely. The Alienation of Eccleſiaſticall revenues in *France*.

Concerning the proteſtation made in Councell, the King wrote to his Ambaſſadors the ninth of November, that, having ſeen what the Cardinall of *Loraine* had written againſt their proteſtation, & heard the relation made by the Biſhop of *Orlience* of all things done in *Trent*, he was pleaſed with it, as alſo with their retire to *Venice*, and commanded, that *de Ferriures* ſhould not depart thence untill he had new order, which ſhould be when he was adviſed that the Articles were ſo reformed that the rights of the King, and of the Gallican Church were not put in queſtion. And he wrote to the Cardinall of *Lorain*, that himſelf and his Councel knew that his Ambaſſadors had proteſted upon great and juſt occaſion. For as he would continue in the union and obedience of the Church, ſo he would preſerve inviolable the rights of his crown, without ſuffering them to be queſtioned, or diſputed, or

1563 himſelfe forced to ſhew them. That they ſhould not thinke to ſatisfie him,
Pius 4 with ſaying in the end, *Saving and reſerving the rights, &c.* becauſe, under
Ferdinand. this colour, they would binde him to ſhew a reaſon of every oppoſition.
Elizabeth. That if he had ſeene the Articles as the were propoſed, hee would have
Charles 9. judged, that the Ambaſſadour could not have done otherwiſe then make
Philip 2. the oppoſition: which his deſire was they ſhould firſt have ſhewed to him, but ſaid they were to be excuſed, in regard of the occaſion ſuddenly ariſing, and of the circumſtances which did produce it, and of the ſuſpitions, which made them doubt of ſome Artifice to precipitate the deciſion. And if the Pope had no intention, as he, the Cardinall, giveth him to underſtand, that the rights of the Emperour, and Kings ſhould be touched, and diſputed, his Holineſſe muſt turne his anger upon the Legats, who propoſed the Articles, and named Kings, Emperor & Republikes, and not upon the Ambaſſadors. That he thinketh the proteſtation may be juſtified before all Chriſtendome, when the Articles ſhal be ſeen. That, the Legats having propoſed thoſe Articles againſt the intention of his Holineſſe, he ought not to referre himſelfe to their diſcretion hereafter, nor to cauſe his Ambaſſadors to returne, untill he had full aſſurance that thoſe Articles ſhould not be ſpoken of any more, which being done, he will command them to go againe to the Councell.

The French King taketh part with the Queene of *Navarre.*

Concerning the citation and ſentence, the King gave order to *Henry (Iutin*, Lord *d'Oyſel* to tell the Pope, that his Majeſty had underſtood, to his great diſpleaſure, that w^ch^ he did not beleeve by the fame which was ſpread, untill he had ſeen a copy of the monitories affixed in *Rome*, that the Queen was ſo proceeded againſt, as that he was bound to defend her. Firſt in regard the cauſe and danger was common to all Kings, who therefore were obliged to protect her; and the rather, becauſe ſhe was a widow, and his obligation was the greater, in reſpect of the neere kindred he hath with her, by both lines, and by agnation with her husband, who died but a little before in the warre againſt the Proteſtants, leaving his ſonnes Pupils. Therefore he could not abandon her cauſe, following the examples of his anceſters; and the rather, becauſe he ought not to indure that any ſhould make warre againſt his neighbours under colour of religion; adding, that it was not pious, to put the Kingdomes of *Spaine* & *France*, lately joyned in friendſhip, in danger of a bloody war, for this cauſe. He ſaid moreover, that the Queene, having many Fees in *France*, ſhe could not, by the rights and priviledges of that kingdome, be compelled to appear, either in perſon, or by Proctor, adding many examples of Princes and Popes, who have proceeded with due and lawfull moderation. He touched the forme of the citation by Edict, a thing not heard of in former times, invented by *Boniface*, the eighth, and, as too hard and unjuſt, moderated by *Clement* the fifth, in the Councell of *Vienna*. He ſaid that ſuch citations could, by no meanes, take place, but againſt the inhabitants to whom the acceſſe is not ſecure, and that, the Queen remaining in *France*, a great injury was done to him and the Kingdome, by uſing that forme; as alſo was done by expoſing to prey, and granting to the Uſurpers, the Fees ſhe holdeth in *France*, the right whereof belongeth to him. And every one marvailed (he ſaid) that his Holineſſe who did favour ſo affectionately the cauſe of King *Antony*

while

while he lived, in being his mediator with the King of *Spaine*, would now oppresse his children, and widow. But he complained most of all, that so many Kings, Princes, and cities having departed from the Church of *Rome*, within fourty yeers, he had not so proceeded with any other; which shewed well that he did it not for the good of her soule, but for other ends. He wished his Hol. to consider, that power was given to Popes for salva ion of soules, not to deprive Princes of their States, nor to order any thing in earthly possessions, which having been formerly attempted by them in *Germany*, did much trouble the publike quiet. Hee intreated the Pope, to revoke all his Acts against the Queene, protesting, that, in case he would not, he would proceed to those remedies which his predecessours have used. Hee complained also of the cause of the Bishops, and commanded his Ambassador, that, declaring unto him the ancient examples, the liberties and immunities of the French Church, and the authority of the Kings in causes Ecclesiasticall, he should pray the Pope not to make any innovation. *Monsieur d'Oysel* performed this office with great vehemency, and, after many treaties with the Pope, obtained of him to speake no more either of the Queen, or of the Bishops. 1563

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And with the Bishops.

But in *Trent*, the Session being ended, and matters well agreed on between the Legates and *Loraine*, and the businesse imparted to the principall Papalins, *Otranto*, *Taranto*, and *Parma*, as also to the Emperours Ambassadours, *Loraine* began to publish their designe, that the councell might bee finished with one Session more. Hee said he could not be in *Trent* at Christmas; that himselfe, and all the French Bishops must depart before that time; that he desired to see the Councell ended, and was loath to leave so honourable an Assembly; but that he could not otherwise doe, being commanded by the King. The Imperialists also did publish in the Councell, that the Emperour did desire the dispatch, and that the King of the Romanes did write, that his desire was it should be finished by Saint *Andrewes* day, or, at the longest, in the beginning of the next moneth by all meanes. And indeed that King, not to please the Pope, but because it was his opinion, did solicite the conclusion. For being to hold a Diet, he was not willing his Father should have Ambassadours in the Councell, and said, that if that were shut up, the affaires of Religion in *Germany* would be in farre better case.

The Card. of *Loraine* publisheth the designe to finish the Councell.

The greater part of the Fathers were glad to heare this; and *Morone* making a Congregation in his house, the fifteenth of November, of the Legates, two Cardinals, and five and twenty Bishops, the principall of every Nation, he proposed, that the Councell, having beene assembled for the necessities of *Germany* and *France*, and now the Emperour, King of the Romanes, Cardinall of *Loraine*, and all Princes desiring that it should be finished, they would speak their opinion concerning the concluding of it, and the manner. *Loraine* said, it was necessary to finish it, not to hold Christendome in suspence any longer, to shew the Catholiques what they ought to beleeve, and to take away the *Interim* of *Germany*, which could not be done by any other meanes, because it was to continue unto the end of the Councell; and to continue it longer, could not bee without great dammage of

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the Catholique Church. And that it was needefull to finiſh the generall Councell in *Trent*, to hinder a Nationall in *France*. For the manner hee ſayd it might be ended with one Seſſion, handling it in the reſidue of the reformation, and diſpatching the *Catechiſme*, and the *Index* of the bookes prohibited, which were in order already, referring other matters to the Pope, not diſputing the Articles of *Indulgences* and *Images*, nor anathematizing particular heretiques, but proceeding with generall termes only. They all agreed, in ſome ſort, to finiſh the Councell, except the Arch-biſhop of *Granata*, who referred himſelfe to the Ambaſſadour of his King. Some ſaid it could not abſolutely be ended, becauſe ſo many matters did remaine to be handled: but that it might bee done by intimating another ten yeeres after, which alſo would ſerve to hinder the calling of Nationall Councels, and to deferre the determination of the things remayning, and the *Anathematiſmes*. The Biſhop of *Breſcia* propoſed a middle courſe betweene an abſolute end and a ſuſpenſion; becauſe the former would make the heretiques deſperate, and the latter not ſatisfie the Catholiques. But theſe opinions had no followers, all the others adhering to that which the Cardinall had ſaid.

For the manner, *Otranto* thought it neceſſary to anathematize the Heretiques, becauſe it hath been uſed in all Councels, and is the principall thing which is required of Synods. For many are not capable to underſtand the truth or falſhood of opinions, by their owne judgement, but doe follow or abhorre them according to the credit or diſcredit of the authors. He ſaid that the Councell of *Chalcedon*, full of learned men, to cleere themſelves whether *Theodoret* Biſhop of *Ciros*, were a Catholique or not, would not heare an account of his faith, which hee deſired to render, but onely wiſhed him to denounce a plaine *anathema* againſt *Neſtorius*; that if *Luther* and *Zuinglius*, dead, and their followers alive, were not anathematized, it might be ſaid, that the Councell had laboured in vaine. The Cardinall replyed, that divers times did require divers counſels; that the differences in Religion were then betweene the Biſhops and the Prieſts; that the people were but as an acceſſory; that the *Grandees* either did not meddle, or if they did adhere to any hereſie, they did not make themſelves Heads, and leaders. But now all was quite contrary; becauſe the heretique Miniſters, and Preachers could not be ſayd to bee heads of the Sects, but the Princes rather, to whoſe intereſts their Miniſters and Preachers doe accomodate themſelves. He that would name the true Heads of hetiques, muſt name the Queene of *England*, the Queene of *Navarre*, the Prince of *Conde*, the *Elector Palatine* of the *Rhene*, the *Elector* of *Saxony*, and many other Dukes and Princes of *Germany*. Hee ſaid, that this would make them unite, and ſhew they were ſenſible of it; and that the condemnation of *Luther* and *Zuinglius* onely would ſo provoke them, that ſome great confuſion would certainly ariſe. Therefore to doe, not what they would, but what they could, he thought that the more univerſall reſolution was the better.

Morone ſent to call the Eccleſiaſticall Ambaſſadours: to whom having imparted the propoſition and opinion of that aſſembly, they conſented to the

the end and the manner, according to the opinion of *Loraine*. Which reſolution being alſo communicated to the ſecular Ambaſſadors, they did all aſſent except the Spaniard, who ſaid, he knew not the expreſſe will of his King, and he deſired time that he might underſtand it. Notwithſtanding this, the Legats, reſolute to execute this determination, gave the matter concerning Princes, omitting the *Anathematiſmes*, and all the particular Articles, onely renewing the old Canons of the Eccleſiaſticall liberty and juriſdiction, ſpeaking of Princes with much reverence, only exhorting them to cauſe their miniſters not to violate them. The ſame day at night a Congregation was made, to begin to ſpeake of the reformation, and an order was ſet downe, that there ſhould be two Congregations a day, untill all the voyces were given. 1563 PIVS 4 FERDINAND ELIZABETH CHARLES 9 PHILIP 2

Which were delivered with great ſhortnes & reſolution, except by ſome few Spaniards, who deſired to hinder, whereas all the others did endeavour to promote the expedition, with brevity. The greateſt difficulty was concerning the ſixth Article, of the ſubjection of *Chapters* to Biſhops, in regard of the great intereſt, which not onely the Biſhops, but the King alſo had in diminiſhing the *Capitular* authority, that they might not oppoſe the ſubſidies wch are often impoſed in *Spaine*, and, on the other ſide, for the favours the Legats did the *Chapters*, by whoſe means, and for the reaſons alleadged, many Italians, who firſt ſeemed to favour the Biſhops, turned on the *Chapters* ſide. The Count of *Luna* ſent a Currier to *Rome* in diligence, by whoſe advice *Vargas*, the Ambaſſadour, entreated the Pope for his favour to the Biſhops. Who, according to his cuſtome, referring himſelfe to the Councell, the Ambaſſadour complained that the Italian Prelates had beene perſwaded to change their opinion in that matter. Whereunto the Pope readily anſwered, that they changed, becauſe they were free, but that the departure of the Agent for the *Chapters* from the Councell was not free, having beene driven from thence, and, upon that occaſion, complained, that the Count of *Luna*, in *Trent*, did diſſwade the finiſhing of the Councell Notwithſtanding he wrote, according to the Ambaſſadours requeſt, but in ſuch termes, as did not diſfavour the pretenſions of the *Chapters*. And finally the Decree was made, with ſome enlargement of the Epiſcopall authority in *Spaine*, but not ſo much as they deſired. A difficulty about ſubjecting the *Chapters* in *Spaine* to the biſhops.

The Venetian Ambaſſadours made inſtance, that, in the Article of Patronages, thoſe of the Emperour and Kings being excepted, thoſe of their Kepubl ique might be excepted alſo. The Legates were willing to pleaſe them, but could hardly tell how. For to except all Republiques was too much, and to name them particularly would breed matter of jealouſie. They found a temper, to comprehend that in the number of Kings, declaring that amongſt thoſe are contained the poſſeſſors of Kingdomes, though they have not the name.

In the Congregation of the twentieth day, a propoſition was made, to demand the Popes confirmation of all the Decrees of the Councell, as well under *Paul* and *Julius*, as under his Holineſſe. The Arch-biſhop of *Granata* oppoſed; ſaying, that in the ſixteenth and laſt Seſſion under *Julius*, when the Councel was ſuſpēded, it was ordained that all the Decrees made The Popes confirmation is demanded.

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by the Synod untill then ſhould be obſerved, without ſaying that there was any need of confirmation, ſo that to demaund it now would be to condemne thoſe Fathers, who then thought that the Decrees might be executed, without any confirmation at all. He profeſſed he did not ſay this becauſe he diſliked the demand of a confirmation, but that meanes might be found to uſe words not prejudiciall. *Otranto* anſwered, that the Decree, named by *Granata*, did not onely not favour the oppoſition which hee drew from it, but did reſolve it rather, ſhewing plainly, that the Councell did not thinke the ordinations obligatory, becauſe it did not command, but ſimply exhort that they ſhould be received and obſerved, whereof no other cauſe could be alleadged, but the want of confirmation. *Granata* was quiet, and reſolved to demand the confirmation, as it was propoſed by the common conſent. But in the manner there was ſome difference. Some were of opinion that the Councel ſhould demand confirmation, and diſſolve without expecting anſwer; ſaying it could not otherwiſe be done with dignity, either of the Apoſtolique Sea, or of the Councell, and that it would ſeeme to be an accord made betweene them; and if any thing ſhould not be confirmed, the Proviſion muſt be made by the ſame Councell. To ſatisfie theſe, who were many, *Morone* was willing, that, in the Seſſiõ of the ninth, which, in regard of the multiplicity of the matters, was thought would continue three dayes, the firſt day a Currier ſhould be diſpatched to demand the confirmation, at whoſe returne another Seſſion ſhould be held without any action, but to diſſolve the Synod. But this opinion had much contradiction. For if the Pope would confirme the Decrees without examining them, the ſame difficulty did returne; if with examination, the time of ſome moneths was neceſſary. Finally, the Cardinall of *Loraine* told the Fathers, that theſe difficulties were to prolong the Councel; that himſelfe and the other French men muſt needs depart, being ſo commanded by the King, and that after their departure the Councell could not be called Generall, there wanting a Nation, whereby the dignity and honour of it would be diminiſhed, and Nationall Synods and other difficulties might be raiſed. This halfe proteſtation, with the perſwaſions of the Imperialiſts for the expedition, was cauſe (after many conſultations) of a reſolution, to demand the confirmation, and diſſolve the Synod in the ſame Seſſion.

De Ferrieres refuſeth to return to Trent.

The Cardinal of *Lorain* wrote preſently to *de Ferrieres*, who was at *Venice*, that the matter concerning Princes being accommodated, he might returne to *Trent*. Who anſwered he could not, without particular commiſſion out of *France*, becauſe the King in his letters of the ninth, had written to him, as alſo to him the Cardinall, that when the Decree was made, and himſelfe adviſed thereof, he would ſend him backe; ſo that it was neceſſary to expect the order of his Majeſty. But hee wrote to the King, that he thought it not fit for his ſervice to returne, in regard that the rights of the Crowne, and the liberty of the *Gallican* Church were violated in other Decrees alſo, publiſhed in that Seſſion.

The reformation ſtanding in good termes, the care of compoſing the Decree of *Purgatory*, invocation, worſhip, reliques, and images of Saints was committed to the Cardinall of *Varmia*, and eight Prelats; who, thought they

they all reſolved not to moove any difficulties, yet they did not agree. Some were willing to make mention of the place of *Purgatory*, and of the fire, as was done in the Councell of *Florence*. Others ſaid, that this being hard to do, and impoſſible to find words to expreſſe it, which might give ſatisfaction to all, it was better to ſay only that the good works of the faithfull did helpe the dead for the remiſſion of their ſins. The Arch-biſhop of *Lanciano* ſaid, that, in handling the *Maſſe*, mention was made, that that ſacrifice is offered for thoſe that are deceaſed in CHRIST, not intirely purged; by which words the doctrine of *Purgatory* was ſufficiently defined: ſo that nothing remained to be done, but to enjoyne the Biſhops to cauſe it to be preached, and to take away the abuſes, taking care alſo that there be no want of due prayers for the dead. And ſo the Decree was made.

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The manner of the Decree concerning Purgatory.

In matter of the Saints they eaſily agreed to condemne, particularly, all the opinions, contrary to the uſes of the *Roman* Church. Onely about Images there was ſome difference. The Arch-biſhop ſaid, no honour was due unto them, but by relation to the thing ſignified. But *Laynez*, the Generall, who alſo was one of the compoſers, added, that, when they were dedicated, and put in place of adoration, a worſhip did belong unto them, beſides the adoration due unto the Saint worſhipped in them, calling this adoration *Relative*, and the other *Objective*. He proved his opinion, becauſe the veſſels and veſtments conſecrated deſerve a reverence belonging unto them, by vertue of the conſecration, though they do not repreſent any Saint; and ſo an adoration is due unto the Image dedicated by vertue of the dedication, beſides the reaſon of the repreſentation. The Cardinall of *Varmia*, for ſatisfaction of both, concluded, that the opinion of the Arch-biſhop ought to be expreſſed, as more facile, and plaine, but without words which might prejudice the other.

Opinions about the adoration of Images.

Deputies were appointed alſo to review the reformation of Friars and Nunnes, beſides the Prelats who had compoſed it, and the Generals of the Orders were added unto them. Theſe changed nothing, but that it being generally granted, in the third Article, to all Monaſteries of *Regular Mendicants* to poſſeſſe immooveable goods, though it be contrary to their inſtitution, Friar *Francis Zamotra*, Generall of the *Minor Obſervants*, deſired that his Order might be excepted; ſaying, he meant to live according to the rule of Saint *Francis*, from which it was not fit to exempt thoſe who did not demand it. And ſatisfaction was given him by excepting his Order: as alſo the *Capuchins*, at the inſtance of Friar *Thomaſo di Caſtello*, their *Generall*. *Generall Laynez* deſired alſo the exception of the company of *Jeſu*; ſaying, that, howſoever the Colledges deputed to entertain ſchollars, who were not yet *religious*, might enjoy mooveable goods, yet the houſes profeſſed, in which the ſociety doth eſſentially conſiſt, might not live but by begging, without poſſeſſing any immoveable thing whatſoever. This was eaſily granted. But he returned the next day, deſiring the exception might be remooved, and ſaid, that his ſociety would alwaies preſerve themſelves in pure mendicity, in the houſes profeſſed, but did not care to have this honor with the world, thinking their deſert in the ſight of God to be ſufficient; which would be the greater, if, being able to make uſe of the power given them by the Councell,

The *Jeſuites* profeſſe to live by begging, but will not be bound unto it.

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cell, they ſhould forbeare to doe it. This reſolution was made by conſent of all the foure *Jeſuites* in the Councel propoſed by Father *Torres*, who ſaid, they ſhould, by this meanes, have liberty to uſe or not to uſe the grant of the Councell, according to opportunity.

In the fifteeenth Article it was conſtituted, that none ſhould profeſſe, before the age of eighteene compleat, and that every one ſhould be a *Novice* two years at the leaſt, at what age ſoever he entred. The *Generals* oppoſed; ſaying, it was not juſt to hinder any from entring into Religion, who was capable to know what the Regular vowes did import; which capacity was judged by the Church to be at the age of ſixteene yeeres, in a time when the world was not ſo wel awake, and therfore that it was fit rather to make the age leſſe then greater: which reaſon they uſed alſo againſt the two yeers of the *Novice ſhip*. In the end, becauſe they were willing to pleaſe all, they reſolved to ſatisfie the *Generals* alſo, and to make no innovation herein.

Beſides the twenty two Articles, there was another, in which power was given to the *Provincials*, *Generals*, and Heads of the Orders to expell the incorrigible out of the Order, and to deprive them of the habit. Which *Johannes Antonius Facchinettus*, Biſhop of *Nicaſtro*, oppoſed ſharply; ſaying, that the profeſſion and act of admiſſion to it are a mutuall contract, and, as it were, a marriage, by which the profeſſed is bound to the Monaſtery, and the Monaſtery to him, and as the one could not depart, ſo the other could not put him away, and that, by meanes of this Decree, all Cities would be filled with expelled Friars, to the great ſcandall of the world. The Archbiſhop of *Roſano* ſaid to the contrary, that the relation was not as between man and wife, but as betweene father and ſonne, and that the ſonne could never lawfully refuſe the father, but the father might emancipate his ſonne, eſpecially if he were diſobedient, and that it was a leſſe evill to ſee expelled Friars in the Cities, then incorrigible in the Monaſteries. The Generals were not all of one opinion. The perpetuall did approve the expulſion, but the temporary did not. The major part inclined, (according to the cuſtome of a multitude, when it conſulteth) to leave things in the ſtate they were, and not to decree either for the one ſide or the other. But, in this conſultation, it was often repeated, and by many, that the people did receive great ſcandal to ſee ſome weare a religious habit many yeeres, and afterwards become ſeculars. This brought the ſecret profeſſion into queſtion, and made a conſultation to begin, whether they ought to declare it to be of force, as it had beene untill that time, or that no profeſſion doth bind, but that which is expreſſe. But this had difficulties alſo; for temper whereof, this reſolution was taken, that the religious Prelat, the yeere of probation being ended, ſhould be bound either to give the Novice leave to depart, or admit him to the profeſſion. And this was inſerted in the ſixteenth Article, as in a place convenient.

Generall Laynez commended the Decree very much, as neceſſary; but deſired that his ſociety might be excepted, alleadging, that the condition of it was different from that of other regular Orders; that in thoſe tacite profeſſion hath place, by ancient cuſtome, and approbation of the Apoſtolique *Sea*, which in their ſociety is prohibited; that the cauſe of ſcandall which the people

people receiveth in ſeeing ſome in a ſecular habit, who have long worne the religious, doth ceaſe in them, in regard the habit of the *Jeſuites* doth not differ from the ſecular; that their ſociety hath alſo a confirmation from the Apoſtolique *Sea*, that the Superior may admit to the profeſſion after a long time, which hath never beene made to any Regular. All inclined to favour him with this exception; for extention whereof he contended, that the Rules of ſpeaking *Latine* did require that the expreſſion ſhould be in the plurall, ſaying, that by theſe things the Synod doth not intend to alter the inſtitution of the Jeſuits, &c. And it was not conſidered that this manner of ſpeech might be referred both to the admitting or diſmiſſing of *Novices* in the end of the yeere of Probation, and to the whole Contents of the ſixteenth Article; as alſo that it might be referred to all the things contained in the ſixteen heads. But the Father knew how to make uſe of the negligence of others, laying a foundation, on which the ſucceeding *Jeſuites* might build that ſingularity which now appeareth in their Society.

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Lyner maketh uſe of the negligence of the Fathers in *Trent.*

The Congregation of the two and twentieth treated of Indulgences; the difficulty and length of which matter, made the *major* part to be of opinion to ſpeake of it no more, in regard all were reſolved before to avoid impediments. But ſome deſired to handle them, ſaying, that otherwiſe the Heretickes would ſay, that they were omitted, becauſe there was no ground to maintaine them. Others thought it ſufficient to ſpeake of their uſe onely, and to take away the abuſes w^ch the corruption of times hath brought in. The Ambaſſadour of *Portugall* ſaid, he was ſorry that proviſion was not made for the *Cruſadoes*, but would be ſilent, leſt occaſion might be taken to prolong the Councell. The Emperours Ambaſſadours, though they did joyntly ſolicite the Expedition, by commiſſion from their Maſter, were not of accord in this. *Prague* would not have them ſpeake of the points of doctrine. *Five-Churches* ſaid, that if they were omitted, and the abuſes of reliques, Images, and Purgatory not taken away, the Synode was quite ſhamed.

The Biſhop of *Modena* told the Fathers, that, in caſe they would handle *Indulgences*, as they had done Juſtification, conſidering all the cauſes, and reſolving all the queſtions, they would finde it difficult, and to require a long time, it being impoſſible to make that matter plaine, but by determining firſt whether they be abſolutions, or compenſations onely, and ſuffrages; or whether they do remit the penalties impoſed by the Confeſſor onely, or all that are due: likewiſe whether the Treaſure, which is put for their foundation, doth onely conſiſt of the merits of CHRIST, or whether thoſe of Saints be required alſo; whether they may be given, though the receiver performe nothing; whether they extend to the dead alſo; and other things of no leſſe difficulty. But to determine that the Church may graunt them, and hath done ſo in all times, and that they are profitable for the faithfull, who do worthily receive them, needeth no great diſputation. The authority to grant them is prooved by the Scripture; their continuall uſe by Apoſtolicall tradition, and authority of Councels, and the perſpicuity of the whole matter by the uniforme doctrine of the Schoolemen. Upon this a Decree may be compoſed without difficultie. The opinion had many followers;

The Councell dareth not handle the matter of Indulgences exactly.

1563 followers; and he, with other Friar Biſhops, was deputed to make a Decree in this ſenſe, adding a proviſion againſt abuſes.

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The *Index*, *Catechiſme*, &c.

In the Congregations following they handled the *Index* of Books, *Catechiſme*, *Breviary*, *Miſſals*, and *Agends*. And all things, determined in the particular congregations of the Prelates, deputed for theſe matters ſince the beginning of the Synod, we read. Wherein they did not all agree. Some thought that certaine Authors and Books were cenſured without reaſon; and ſome, that others were omitted which did more deſerve cenſure. And there was no leſſe difficulty about the Catechiſme, ſome thinking that that which was made, was not fit to bee made the common for the whole Church, in which the greater part are ſimple, and ſome deſiring that more matter might bee put into it. And they differed as much about the *Rituall* books, ſome deſiring an uniformity in the whole Church, and ſome maintaining their own. But it appearing that theſe matters could not be decided in a whole yeare, the Legats propoſed that all ſhould bee referred to the Pope. Whereunto ſome few Prelates did not conſent, and namely the Biſhop of *Lerida* made a long oration to ſhew, that if any thing were proper to the Councell it was the *Catechiſme*, it being a book, which, after the Symboll, ought to hold the firſt place in the Church; that the *Rituall* bookes ought to hold the ſecond, in correcting of which there was need of an exquiſite knowledge of antiquity, and of the cuſtomes of all countreys, which will not be found in the Court of *Rome*; where, though there be men of excellent wit, and of great learning, yet they want skill in this kind which is neceſſary to do any thing commandably herein, & that this is more proper to the Councell. But the reſolution to finiſh, and the deſire to depart from *Trent*, cauſed him to have but ſmall audience.

The five and twentieth of this month, the Count of *Luna* came to the Legats, with an inſtance in writing. He complained that the moſt principall matters for which the Councell was aſſembled were omitted, and the others precipitated; that they went about to finiſh the Synod without the privity of his King; concluding, that they ought to heare the opinions of the Divines concerning the points of doctrine, and expect an anſwer out of *Spaine* for the end of the Councell. The Legats anſwered, that things were in ſuch forwardneſſe, that there was no time to expect, nor was poſſible to with-hold ſo many Biſhops, who were already in order to depart. The Count replyed, that if the Councell were ended without the knowledge of his King, beſides the inſtance, he would do ſomthing elſe, as he thought convenient. Hereupon the Legats ſent preſently to the Pope, and the Count to the Ambaſſador *Vargas*, to treat with his Holineſſe. But *Vargas* thought it ſuperfluous to ſpeake any more herein, both becauſe at the comming of the currier, the Pope fell extreame ſick, and becauſe having made the ſame inſtance a few dayes before, the Popes finall anſwer was, that he referred it to the Councell, the liberty whereof, ſo much deſired by his King alſo, hee would not impeach. And the Ambaſſador ſaying, that the Councell ought to bee held open, becauſe all the world did deſire it, the Pope demanded what that world was which would have it open; the Ambaſſador anſwered, *Spaine* would; the Pope replied, Write into *Spaine*, that if they buy and

The Popes ſickneſſe.

ſtudy

ſtudy *Ptolomy*, they ſhall find that *Spaine* is not the whole world. The Legats uſed many perſwaſions to the Count of *Luna*; and ſo did *Loraine* alſo, and the Emperors Ambaſſadors. But, not being able to prevaile, they laboured againſt him, the Ambaſſadors in the name of the Emperor, King of the *Romans*, and of all *Germany*, and *Loraine* in the name of his King, and of the Kingdome of *France*. The Legats, reſolving to finiſh the Councell, according to the Popes order, howſoever the Spaniſh Ambaſſador might oppoſe, were diligent in diſpatch of the matters. 1563

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While theſe things were in doing, the firſt of December, a currier came from *Rome* late at night, with advile, that the Pope was ſuddenly fallen into a dangerous infirmity. He brought letters from Cardinall *Borromeo* to the Legats, and Cardinall of *Loraine*, that they ſhould haſten the Councell as much as might be, and finiſh it without reſpect of any, to withſtand the inconveniences which might occurre about the election of the Pope, in caſe the Councell ſhould be open in time of vacancy. In the letters there were ſome few words written with the Popes own hand, who did commit the ſame abſolutely, and told *Loraine* he ſhould remember his promiſe. It is certaine (to ſpeake this particular here, though out of place) that the Pope was reſolved, in caſe he did not recover quickly, to create eight Cardinals, and to take order that no confuſion might ariſe in the election of his ſucceſſor. The Legats and *Loraine* purpoſed to anticipate the time of the Seſſion, and either with the propoſitons, or without to finiſh the Councell within two daies, that the news of the Popes death might not firſt come. Therefore they ſent to communicate the advice received, and their reſolution, to the Ambaſſadors, and did negotiate with the principall Prelates. They all agreed except the Spaniſh Ambaſſador, who ſaid he had order from his King, that if the *Sea* were vacant, he ſhould not ſuffer the Pope to be elected in Councel, but that the election ſhould be by Cardinals, ſo that there was no need to precipitate. But *Morone* anſwered, he knew for certaine, that the Ambaſſador of *France*, who was yet in *Venice*, had order from his King, to proteſt that the Kingdome would not obey any Pope, but him that ſhould be elected in Councell; ſo that it was neceſſary by all meanes to finiſh it, for avoyding of danger. The Count of *Luna* made a Congregation of Spaniſh Prelates in his houſe, and ſpread a fame, that he was reſolved to proteſt and oppoſe.

Cauſeth the end of the Councell to be haſtened.

Notwithſtanding the oppoſition made by the Count of *Luna*.

Notwithſtanding, the Legates held a Congregation the next morning, in which the Decrees of *Purgatorie* and of the Saints were read, as they were compoſed by the Cardinall of *Varmia*, and the other deputies. Afterward the reformation of Fryars was read, and all approved with very great brevity, and a little contradiction. Then the Articles of reformation were read. In the firſt of the manners of Biſhops, at the paſſage, where it is ſaid, that they ſhall not inrich their kindred and family by the revenues of the Church, it was ſaid of the revenues of the Church, of which they are faithfull diſpencers for the Pope. The Biſhop of *Salmona* did oppoſe this point, ſaying, that the portions of the poore being divided, by ancient Canon, as alſo of the fabrique and of the Epiſcopall table, it cannot be ſaid that Biſhops, and other beneficed perſons are diſpencers, but were

Lords

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Lords of their own part; which if they did ſpend ill, they did ſin and incurre the wrath of God, as every other man did, who ſpendeth his goods amiſſe; but if they were diſpencers for the poore, they ſhould be bound to reſtitution, which cannot be ſaid. There were many diſcourſes, the *major* part defending that beneficed men were Lords of the fruits, or uſufructuaries, and others ſaying, as the French Ambaſſadour had done in his Oration, that they have but the uſe only. Some defended the words of the Decree that they were diſpencers, alleadging the place in the Goſpell of the faithfull ſervant, and the Doctrine of all the holy Fathers. But the precipitation to finiſh the Councell, cauſed thoſe words, that is, of which they are appointed faithfull diſpencers for the poore, to be omitted, as alſo other difficulties to bee paſſed over in ſilence.

In the Article of Patronages, the Ambaſſadours of *Savoy* and *Florence* made requeſt that thoſe of the Princes might bee accepted alſo, or that all might bee conprehended but thoſe of the Emperour and Kings. Satisfaction was given them, by accepting, beſides the Emperor, Kings or Poſſeſſors of Kingdomes, other great and ſupreame Princes, who have ſoveraigneA diſpute whether the Decrees made under *Paul* and *Julius* ſhould be read.
ty in their dominions. Afterwards a propoſition was made for the reading in Seſſion of all the Decrees made under *Paul* and *Julius*, to be approoved; which *Modena* oppoſed, ſaying that it would be a derogation to the authority of the Councell of thoſe times, if it ſhould ſeeme that the things then done had need of a new confirmation of the Fathers, and would ſhew that this and that was not all one, becauſe none can confirme his own things. Others ſaid, it was neceſſary to doe it, for that cauſe the authority might not be taken from them, ſaying, that they were not of the ſame Councell. And the ſame French-men, who before did ſo earneſtly deſire that it might be declared that the Councell was new, and not continuated with that under *Paul* and *Julius*, did now labour more than others, that all cauſe of doubting might be taken away, that all the acts from the yeare 1545. untill the end, were not of the ſame Synode. Thus it happeneth, as in humane affaires, ſo in Religion alſo, that one crudelity is changed with his intereſt. Therefore now, all aiming at one marke, it was determined, ſimply to read them, and ſay no more. For ſo the unity of the Councell was moſt plainely declared, and all difficulty remooved which the word confirmation might bring, leaving every one to thinke what he liſted, whether the reading of them, did conſequently import a confirmation, or a declaration of their validity, or an inference that it was one Synode which made them with that which read them.

The Seſſion is anticipated.

Finally a propoſition was made to anticipate the Seſſion, and to celebrate it the next day; and, if all the actions could not then be diſpatched, to continue it the day following, and to diſmiſſe the Fathers, and ſubſcribe all the acts of the Councell on Sunday: The Spaniſh Biſhops oppoſed this, ſaying, that there was no neceſſity to abbreviate the time. Notwithſtanding Card. *Morone* ſaid, that the Seſſion ſhould be held. And *Loraine* and the Emperors Ambaſſadors renewed their perſwaſiõs to the Coũt of *Luna*, that he would yeeld to that which is ſo uniformely reſolved. Who in the end, after many things ſpoken and replyed, was content upon two conditions; one, that a Decree

a decree might be made that the Pope ſhould make proviſion for all things that remaine; another that in the handling of Indulgences it ſhould not be ſaid that they ought to be given *gratis*, nor any other thing that might prejudice the *Cruſadoes* of *paine*. 1563 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

That day therefore being come, which was Friday, the third of December, they went to the Church with the uſuall Ceremonies, and the *Maſſe* was ſaid, in which *Jerolamus Ragazzone*, Biſhop of *Naziano* made the Sermon. He ſummoned all the world to admire that moſt happy day, in which the Temple of God was reſtored, and the ſhip brought into the haven, after ſo many tempeſts, and ſtormes; and that the joy had beene greater, if the Proteſtants would have had their part in it, which was not the Fathers fault. He ſaid, they had choſen that city for the councell, ſcituated in the mouth of *Germany*, euen at the threſhold of their houſes, without any gard, not to give ſuſpition of want of liberty; that the Proteſtants had been invited, by a Safe-conduct, expected and prayed; that, for the ſafetie of their ſoules, the Catholike faith was expounded, and the Eccleſiaſticall diſcipline reſtored. He ſhewed the abuſes taken away in holy *Rites*. He ſaid that if there had been no other cauſe to call a Councell, it had been neceſſary to do it for the prohibition of Clandeſtine marriages. And, paſſing to the things conſtituted for reformation, he ſhewed, from ſtep to ſtep, the publike ſervice the Church would receive by thoſe decrees. He added, that the explication of faith, with the reformation of manners, had been handled in former Councels, but not more diligently in any, that the arguments and reaſons of the heretikes had been often handled and diſcuſſed, and many times with great contention, not becauſe there was any diſcord amongſt the Fathers, which cannot be amongſt thoſe who are of the ſame opinion, but to proceed with ſincerity, and ſo to cleere the trueth as that more could not have beene done if the heretikes had beene preſent. He exhorted all, that, being returned to their Dioceſſes, they would put the Decrees in execution; as alſo to thanke God firſt, and then the Pope, ſhewing what he hath done to favour the Councel, ſending *Nuncij* into the Proteſtant Countries, Legates to *Trent*, exciting Princes to ſend Ambaſſadours, ſparing no coſt to mainetaine the Councell in liberty. He commended the Legats, as being good guides, and moderators, and, in particular, Cardinall *Morone*, and concluded with the commendation of the Fathers. And held the 3 December. The Sermon.

After the Ceremonies were ended the Decrees were read. In the doctrine of *Purgatory* it was ſaid that the Catholike Church hath taught, out of the Scripture, traditions, and in this ſame Synode, that there is Purgatory, and that the ſouls detained in it, are aſſiſted by the ſuffrages of the faithfull, and the ſacrifice of the *Maſſe*. Therefore it doth command Biſhops to teach ſound doctrine in this matter, and cauſed to be preached, without handling ſubtile queſtions before the ignorant people, not ſuffering uncertain and unlikely things to be publiſhed; prohibiting curioſities, ſuperſtition, and unhoneſt gaine, procuring that thoſe ſuffrages be fully executed which are uſually made for the dead by the living, as alſo that the things ordained in laſt wils, or in any other maner be fully performed. The Decrees. Of Purgatory.

In matter of the Saints, it doth command Biſhops and all others who have Of Saints.

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the charge of teaching, that they inſtruct the people, concerning the interceſſion and invocation of them, honor of relikes, lawfull uſe of Images according to the ancient doctrine of the Church, conſent of Fathers, and Decrees of Councels, teaching that the Saints doe pray for men, that it is profitable to invocate them, and to have recourſe to their prayers and aſſiſtance. Afterwards, all in one periode, it doeth condemne ſeven aſſertions in this matter. That the Saints of Heaven ought not to be invocated. That they doe not pray for men. That it is idolatry to invocate them to pray for us, though ſingularly. That it is repugnant to the word of God, contrary to the honour of Christ, and a fooliſhneſſe to pray unto them, either with heart or voyce. That the bodies of Saints for whoſe ſake God doeth give us many benefits, ought not to bee worſhipped. That their reliques and ſepultures ought not to bee honoured. And that it is in vaine to make mention of them, to obtaine aſſiſtance.

Of Images.

Concerning Images, that thoſe of Christ, of the Virgin, and of Saints ought to be kept in the Churches, and to have due honor given them; not that there is any divinity, or vertue in them, but becauſe the honor redoundeth to the thing preſented, Christ and the Saints being worſhipped by the Images, whoſe ſimilitude they beare; as hath beene defined by the Councels, eſpecially in the ſecond of *Nice*. That for hiſtories, the myſteries of religion, expreſſed in pictures, are taught to the people, and the Articles of faith called to their minde; and not onely the Benefits of Christ are ſuggeſted to them, but the miracles and examples of Saints are even put before their eyes, that they may thanke God for them, and imitate them; anathematizing thoſe that teach or beleeve the contrary.

Afterwards it addeth; that, deſiring to take away the abuſes, and occaſions of pernicious errors, it doth ordaine, that, if there be cauſe to make an image of the Divinity, to declare the Hiſtoricall pictures of the holy Scripture, the people be taught that it is not done becauſe it can be ſeen with bodily eyes, that all ſuperſtition in invocation of Saints, worſhip of relikes, and uſe of Images be taken away, that all diſhoneſt gaine be aboliſhed, all exceſſe avoided, images not pictured, nor adorned laſciviouſly, nor banquets made in the Feaſts of Saints, or viſitation of reliques, that no unuſuall image be put in any Church or other place, but approoved by the Biſhop, that no new miracles be admitted, or new reliques received, & in caſe of any doubt or abuſe hard to be removed, or great difficulty, the Biſhop ſhall expect the opinion of the Provinciall Councell, neither ſhall any thing new, or uſuall in the Church be decreed without the conſent of his Holineſſe.

The Decrees of reformation of *Regulars*.

The Decree of the reformation of the *Regulars* did containe two and twenty heads, with theſe particular precepts, in ſumme, 1. That all ſhall obſerve the rule of the profeſſion, eſpecially in regard of the perfection, which conſiſteth in vows and eſſentiall Precepts, as alſo in regard of their common food and apparell. 2. None ſhall poſſeſſe goods moveable or immoveable, as their owne, neither ſhall their ſuperiours grant immooveables, ſo much as for uſe, government, or *Commenda*, and in the uſe of mooveables, there ſhall be neither ſuperfluity nor want. 3. The Synode granteth to all Monaſte-

Monaſteries, though *Mendicant*, except the *Capuchins*, and the *minor Obſervants*, to poſſeſſe immoveable goods, with command, that the number of religious in the Monaſteries may be eſtabliſhed to containe as many as can be maintained by the rents or uſuall almes, neither ſhall ſuch places be built hereafter without licence of the Biſhops. 4. No religious perſon ſhall go to the ſervice of any place or perſon, without leave of his Superiour, nor depart from his Convent, without his command. 5. Biſhops ſhall have care to reſtore, and preſerve the encloſure of the *Nunnes*, exhorting Princes, and commanding Magiſtrates, upon paine of excommunication, to aſſiſt them. *Nunnes* ſhall not goe out of the Monaſteries, and none ſhall enter, upon paine of excommunication, without exception of ſex, condition, or age, except it be with licence. The Cloiſters of *Nunnes* which are without the walles of the Cities and Caſtles ſhall be brought within. 6. That elections bee made by ſecret ſcrutiny, and titulars, ſhall not bee created to this effect, or the voice of the abſent ſupplied, otherwiſe the election ſhall be voyde. 7. In the Cloiſters of *Nunnes* the Superiour ſhall bee forty yeeres of age, and eight yeeres profeſſed, or, where this cannot be, of thirty yeeres of age at the leaſt, and five yeeres profeſſed. No woman ſhall have ſuperiority in two *Nunneries*, & he that is to overſee the Election, ſhal ſtand without the gates. 8. The Monaſteries, immediately under the Apoſtolique *Sea*, ſhall be reduced into a Congregation, and ſhal give order for their government, and their ſuperiours ſhall have the ſame authority as others have, which have beene formerly reduced into a Congregation. 9. The Monaſteries of *Nunnes*, ſubject immediatly to the Apoſtolique *Sea*, ſhall be governed by the Biſhops, as Delegates. 10. The *Nunnes* ſhall confeſſe and communicate, once a moneth, at the leaſt, and, beſides the ordinary Confeſſor, one extraordinary ſhall be given twice or thrice a yeere, and they ſhall not keepe the Sacrament within the Monaſtery. 11. That in *Monaſteries*, which have cure of the ſoules of Secular men, thoſe who doe exerciſe it ſhall be ſubject to the Biſhop as farre as concerneth the miniſtery of the Sacraments, except the Monaſtery of *Clugni*, or where the *Abbats*, *Generals*, or *Heads* of the *Orders* do reſide, or where the Abbats have Epiſcopall or temporall juriſdiction. 12. The *Regulars* ſhall publiſh, and obſerve the Papall and Epiſcopall cenſures, and interdicts, as alſo the feaſts which the Biſhop ſhall command. 13. The Biſhop ſhall be judge of all controverſies for precedence, betweene Eccleſiaſticall perſons, whether Secular or *Regular*, and no appeale from him ſhall lie; and all ſhall be bound to goe to publique proceſſions, except thoſe who live in ſtrict incloſures. 14. The *Regular*, who reſideth in the Cloiſter, and commiteth an exceſſe abroad ſhall be puniſhed by his Superiour, when the Biſhop ſhall appoint, who alſo ſhall be certified of the puniſhment, or otherwiſe the delinquent may be puniſhed by him. 15. Profeſſion made before the age of ſixetenne yeers compleat, and a yeere of probation, ſhall be voyde. 16 No renunciation or obligation ſhall be of force, except it be made within two moneths before the profeſsion, and with licence of the *Ordinary*; and the time of probation being ended, the Superiours, ſhall admit the *Novices* to the profeſsion, or ſend them out of the Monaſteries; but not meaning to

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comprehended the *Jeſuites*. The *Monaſtery* ſhall not receive any thing of a *Novice* before the profeſſion, except food & apparell, and, at his departure, all ſhall be reſtored that belongeth to him. 17. No virgin ſhall receive the habit, or make profeſsion, except ſhe be examined by the Biſhop, and her will well underſtood, and that ſhe hath the conditions required by the rule of that Monaſtery. 18. That all ſuch bee anathematized, of what condition ſoever, who ſhal (except in lawfull caſes) force any woman to enter into a *Monaſtery*, receive the habit, or make profeſsion, as alſo thoſe who ſhall, without juſt cauſe, hinder thoſe who would enter willingly, except the *Penitenti*, or *convertite*. 19. He that ſhall pretend a nullity in the profeſsion ſhall not be heard after five yeeres from the firſt day thereof, and ſhall alleadge the cauſe before the Superiour and *Ordinary*, before he depoſe the habit, and none ſhall go to a more large religion, nor have leave to weare the habit ſecretly. 20. The Abbats and Heads of the Orders ſhall viſit the *Monaſteries*, ſubject unto them, though but by *Commenda*, and the *Commendataries* ſhall be bound to execute the Ordinations; and, in thoſe, Priors and Superiours, who have ſpirituall governement ſhall bee created by the Chapters, or viſiters of the Orders. 21. That the Synode doth deſire to reſtore diſcipline in all *Monaſteries*, but ſeeth it is impoſsible, in regard of the ſtiffenecked and difficult age, yet they will not omit to uſe meanes, that hereafter proviſion may be made therein, and do hope that his Holineſſe, as farre as hee ſhall ſee the times will comport, will provide that a *Regular* profeſſed perſon ſhall bee made governour of *Monaſteries* commended, and thoſe that ſhall be vacant hereafter ſhall not bee conferred but upon *Regulars*; and thoſe who have *Monaſteries* in *Commenda*, and are Heads of Orders, if proviſion be not made within ſixe moneths of a *Regular* ſucceſſor, they ſhall make proviſion, or quit the place, otherwiſe the *Commendaes* ſhall be vacant. And, in the proviſion of *Monaſteries*, the quality of every one ſhall be expreſſed by name, otherwiſe the proviſion ſhall be accounted ſurreptitious. 22. That it ſhall bee undeſtood that all *Regulars* are ſubject to theſe Decrees, notwithſtanding any priviledge, though by foundation; commanding Biſhops and Abbats to execute them immediatly, and praying, and commanding Princes and Magiſtrates, to aſſiſt them, as often as they ſhall be required.

The *Penitenti* or *Convertite* are Nunnes who have been Curtizans.

The generall reformation

The reading of the generall reformation did preſently follow; which, after an exhortation to Biſhops for exemplary life, modeſty in apparell and food, and frugality, doth forbid. 1. That they ſhall give to their kinred, or any of their family, any part of the revenues of the Church, except they be poore; extending the ſame to all beneficed perſons, ſecular, or regular, and alſo unto Cardinals. 2. That the Biſhop ſhall, in the firſt Provinciall Councell, receive the Decrees of this Synod of *Trent*, promiſe obedience to the Pope, *Anathematize* the hereſies condemned, and every Biſhop promoted hereafter ſhall doe the ſame, in the firſt Synod; and all beneficed men, who are to aſsiſt in the Dioceſan Synode, ſhall doe the ſame therein. Thoſe who have the care of Univerſities, and ſtudies generall, ſhall endeavour to make the Decrees to be received in them, and the Doctours to teach the Catholique faith in conformity of them, and ſhall take a ſolemne oath herein,

herein every yeere. And for thoſe which are immediately ſubject to the Pope, his Holineſſe will have care that they be reformed in the ſame manner by his Delegats, or as he ſhall thinke fit. 3. That, howſoever the ſword of excommunication is the ſinew of Eccleſiaſticall diſcipline, profitable to keep men in obedience, it is to be uſed with ſobriety and circumſpection having found by experience, that it is more contemned then feared, when it is denounced raſhly, for a ſmall cauſe. Therefore it ſhall not be denounced by any, but by the Biſhop for things loſt or ſtollen; who ſhall not grant it at the perſwaſion of any ſecular authority whatſoever, though a Magiſtrate And in judiciall cauſes, in which a reall or perſonall execution may be made, they ſhall abſtaine from cenſures; and in civill, belonging in what manner ſoever, to the Eccleſiaſticall Court, they may uſe pecuniary puniſhments, or proceed by diſtraining of goods, or impriſonment of the parties themſelves, with their executors, or others; and in caſe they be not able to execute really or perſonally, they may proceed to excommunication. And the ſame ſhall be obſerved in criminall cauſes. The ſecular Magiſtrate ſhall not prohibite the Eccleſiaſticall to excommunicate, or revoke excommunication, upon pretence that the Decree hath not beene obſerved. The perſon excommunicated ſhall not onely not be received to participate with the faithfull, but, if he perſevere in the cenſures, he may be proceeded againſt, as ſuſpected of hereſie. 4. It doth give power to the Biſhops, in the Dioceſan Synods, and to the Heads of the Orders, in the generall *Chapters*, to ordaine for their Churches that which ſhall be for the honor of God, and benefit of them, when there ſhall be an obligation to celebrate ſo many *Maſſes* by teſtamentarie legacies, that they cannot be performed, or that the almes is ſo ſmall that none can be found to performe the charge, but with condition, that memory be alwaies made of thoſe parties deceaſed who have left the legacies. 5. That, in the collation, or any other diſpoſition of Benefices, no derogation be made to the qualities, conditions, and charges required, or impoſed in the erection or foundation, or by any other conſtitution, otherwiſe the proviſion ſhall be accounted ſurreptitious. 6. When the Biſhop, not in time of viſitation, doth proceed againſt the Canons, the *Chapter* ſhall elect two in the beginning of every yeere, by whoſe councell and conſent, the Biſhop ſhall proceed in all the acts, and the voyces of both ſhall be as one; and in caſe they both diſſent from the Biſhop, a third ſhall be elected by them, who ſhall determine the controverſie; and if they cannot agree, the third man ſhall be elected by the next Biſhop, But, in cauſes of concubinaries, or other more hainous, the Biſhop may receive information alone, & proceed to retention; and for the reſidue, ſhall obſerve what is ordained. The Biſhop ſhall have the firſt ſeat in the quire, *Chapter*, or other publique places, and ſhall chooſe his place. The Biſhop ſhall preſide in the *Chapter*, except in caſes belonging to him or his, which authority ſhall not be communicated to his vicar; and thoſe who are not of the *Chapter* ſhall, in cauſes Eccleſiaſticall, be all ſubject to the Biſhop, and where Biſhops have more juriſdiction then the aforeſaid, the Decree ſhall not have place. 7. Hereafter no *regreſſe* or *acceſſe* to any Eccleſiaſticall Benefice ſhall be granted, and thoſe which be granted already, ſhall neither be extended nor transferred:

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red: and herein the Cardinals ſhall be comprehended alſo. *Coadjutors*, with future ſucceſſion, ſhall not be made in any Eccleſiaſticall benefices whatſoever, and if, in Cathedrall Churches or Monaſteries, it ſhall be neceſſary to do it, the cauſe ſhall firſt be knowne by the Pope, and the due qualities ſhall concurre. 8. All beneficed men ſhall uſe as much hoſpitality as their revenue will give them leave: and it doth command thoſe who have the govermement of Hoſpitals, under what title ſoever, to exerciſe it, as they are bound by the revenues deputed thereunto; and if perſons of that ſort as the inſtitution doth require be not found in the place, the revenues ſhall be converted to a pious uſe as neere as can be to that, as ſhall ſeeme good to the Biſhop with two of the *Chapter*. And thoſe who will not give ſatisfaction in this charge of hoſpitality may be compelled (though they be Laikes) by cenſures, and other remedies, to performe their duty, and ſhall be bound to the reſtitution of fruits in court of conſcience, and ſuch governments ſhall not be given hereafter to any, for longer time then three yeeres. 9. The title of Patronage ſhall be ſhewed to be authenticall by foundation, or donation, or by preſentations multiplied time out of mind, or by ſome other lawfull manner. But in perſons & communites, in whom uſurpation is uſually preſumed, the proof ſhall be more exact, and time immemoriall ſhall not ſuffice, except preſentations of fifty yeers at the leaſt be authentically ſhewed, and that they have all taken effect. Other ſorts of Patronages ſhall be underſtood to be abrogated, except thoſe of the Emperour, Kings, poſſeſſours of Kingdomes and ſupreme Princes, and of generall ſtudies. The Biſhop may refuſe to admit thoſe that are preſented by the Patrons, if they be not fit; and the Patrons ſhall not meddle with the fruits, neither ſhall the right of Patronage be transferred againſt the canonicall ordinations: and the unions of ſimple benefices to thoſe w^ch^ have right of patronage, if they have not really taken effect, ſhall wholly ceaſe, and the benefices ſhall be reduced to liberty, and thoſe that have beene made within fourty yeeres though they have been executed, ſhall be reviewed by the Biſhops, and if any defect be found, ſhall be made void, and likewiſe all Patronages ſhall be reviewed, made within fourty yeeres, for augmentation of dowry of the Church, or for building it anew; and if they ſhall not be found to bee for the evident utility of the benefice, they ſhall be revoked, and that ſhall be reſtored to the Patrons which is due unto them. 10. That in Provinciall Councels or Dioceſan, foure perſons at the leaſt, ſhall bee elected, endowed with fit qualities, to whom Eccleſiaſticall cauſes ſhall be committed which are to be delegated by the Legates, *Nuncij*, or Apoſtolique Sea, and all other delegations ſhall bee thought to bee ſurreptitious. 11. Money ſhall not bee received before hand for Eccleſiaſticall goods, in prejudice of the ſucceſſours, nor Eccleſiaſticall juriſdictions rented out, neither ſhall the Farmours of them have power to exerciſe them: and the farming of Eccleſiaſticall things, though confirmed by the Pope, done within thirty yeeres, for a long time, that is, for twenty nine or more years, ought to be judged by the Provinciall Synod to have bin done with dammage of the Church. 12. Thoſe who are bound to pay tenthes, ſhall pay them hereafter, to whom they are intirely obliged, and he that with-holdeth them

them ought to be excommunicated,and not to be abſolved before reſtitution. And it exhorteth all,to whom God hath given wealth,to impart ſome of it to Biſhops and Prieſts, who have poore Churches. 13. whereas the fourth of the funerals was uſually paid,untill within theſe forty yeeres,unto the Epiſcopall or Pariſh Church,and was afterwards granted to pious places, it ſhall be reſtored to them againe. 14. It doth forbid all Clearkes to keepe Concubines, or any ſuſpected women,at home,or abroad, which if they forbeare not to doe after admonition, they ſhall bee deprived of the third part of their Eccleſiaſticall rents,& of all,after the ſecond admonition, and ſuſpended alſo from adminiſtration of the Sacraments;and,in caſe they perſevere,they ſhal be deprived of all benefices,and made uncapable of any other, untill they ſhall be diſpenſed with: and if, after they have forſaken them,they ſhall returne, they ſhall be excommunicated alſo,and the cognition of theſe cauſes ſhall belong onely to Biſhops,ſummarily.But Clearks, not beneficed, ſhall be puniſhed with impriſonment,ſuſpenſion,or inhability. And if the Biſhops themſelves ſhall fall into the like errour, and not amend,after admonition,given by the Provinciall Synod,they ſhall bee ſuſſpended,and,if they perſevere, they ſhall be delated to the Pope. 15. The ſonnes of Clearkes,not borne of lawfull matrimony,ſhall not have any Benefice,or miniſtery in Churches where their fathers have,or have had a Benefice, nor have any Penſion in Benefices,which their Fathers either have now, or have had: and if,at any time, the father and ſonne ſhall be beneficed in the ſame Church, the ſonne ſhall be bound to reſigne within three moneths;prohibiting alſo reſignations which the father ſhall make to another, that he may reſigne his owne to his ſonne. 16. Benefices with cure ſhall not be converted into ſimple Benefices, and in thoſe which are converted already, if the perpetuall Vicar hath not a convenient revenue, it ſhall be aſſigned to him, at the pleaſure of the Biſhop. 17. Whereas ſome Biſhops carry themſelves baſely towards the Miniſters of Kings, men of preheminence, and Barons, as well in the Church, as without, and not onely give them place, with too much indignity, but ſerve them in perſon, the Synod deteſting this, and reviving the Canons concerning the *Decorum* of Epiſcopall dignity, doth commaund Biſhops to forbeare this, and regard their Decree, both in Church and without, remembring they are *Paſtors*; and alſo commandeth Princes, and others, to give them honor, and reverence, due to fathers. 18. The Canons ſhall be obſerved indiſtinctly by all, and ſhall not be diſpenced, but for a cauſe, heard with maturity,and without coſt. 19. The Emperour,Kings, and Princes, who ſhall grant duell betweene Chriſtians,ſhall be excõmunicated,and deprived of the dominion of the place in which the duell is committed,if they hold it from the Church;and the Combattants,and Judges of the Combat, ſhall be excommunicated,have their goods confiſcated, and be perpetually infamous: and if they die in the duell,they ſhall not be buried in any ſacred place,and thoſe who give them counſel,either *in jure* or *in facto*,or perſwade them to the duell, and the lookers on ſhall be excommunicated. 20. In the end, the Article of Eccleſiaſticall liberty, or reformation of Princes, which had beene ſo much examined, was read. In it the Synode doth admoniſh

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The reformation of Princes.

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moniſh ſecular Princes, hoping they will grant to the Church the reſtitution of her rights, reduce their Subjects to reverence the Cleargy, and not permit their officers and inferiour Magiſtrates to violate the immunity of the Church and Eccleſiaſticall perſons, but that, together with themſelves, the Princes, they will be obedient to the conſtitutions of the Pope, and of Councels, determining that all conſtitutions of generall Councels, & of the Apoſtolike *Sea*, in favour of Eccleſiaſticall perſons, and liberty, ſhall be obſerved by all: admoniſhing the Emperour, Kings, Republiques, Princes, and all, to reverence the things that belong to Eccleſiaſticall right, and not to ſuffer them to be violated by inferiour Lords, their Magiſtrates or Miniſters; that the Clerkes may reſide and performe their duty, without impediment, and with edification of the people. After this a Decree was read, never mentioned in any Congregation; by which the Synod doth declare, that in all the Decrees of reformation, made under *Paul*, *Julius*, and *Pius* in the Councell, with what words or clauſes ſoever, it ſhall be underſtood, that the authority of the Apoſtolike *Sea* is excepted and preſerved.

A Decree concerning the Apoſtolike *Sea*, never mentioned before.

The Decrees of Indulgences, finiſhing the Councell, and demanding the Popes confirmation, &c.

Being not able to diſpatch all, the day being farre ſpent, the reſidue was deferred untill the next morning, according to a determination made in the generall Congregation; in which the Congregation was made before day, howſoever, newes was come that the Pope was better, and out of danger of death. The Decrees of Indulgence, finiſhing the Councell, and demaunding confirmation were read, and approved by all. After dinner the Seſſion was held, in which the Decree of Indulgence was read, containing in ſubſtance. That Christ hath given authority of granting them to the Church, and hath uſed the ſame from all antiquity. And therefore the Synod doeth teach, and command, that the uſe of them ought to be continued as profitable for Chriſtian people, and approved by Councels; and doeth anathemize thoſe that ſhall ſay, they are unprofitable, and that the Church hath not power to graunt them. And to preſerve the ancient cuſtome, and provide againſt abuſes, it doth commaund that all thoſe offices of Pardonmongers be aboliſhed, & for the other abuſes, it doth command the Biſhops, that, every one ſhall collect all of his own Church, & propoſe them in the Provinciall Synod, to bee referred to the Pope, who will take order therein. Concerning faſts, difference of meates, and obſervation of feaſts, it exhorteth Biſhops to obſerve the precepts of the Roman Church; and for the *Index*, howſoever it was finiſhed, in regard the Synod hath not time to judge of it, it doth ordaine that it ſhall be carried to the Pope, and referred to his cenſure, and the ſame ſhall be done concerning the *Catechiſme*, *Breviary* & *Miſſall*. It publiſhed alſo another Decree, that, by places aſſigned to Ambaſ. it ſhall be underſtood that no man is prejudiced. In the end it prayeth the Princes to uſe meanes that the Decrees of the Councell be not violated by the hereticks, but received and obſerved by them, and by all: in which if any difficulty or neceſſity of declaration ſhall ariſe, the Pope, calling thoſe whom he ſhall judge fit, from the places where the difficulty is, or calling generall Councels, or by ſome other meanes, will make proviſion. Afterwards all the decrees of reformation made in this Councel under *Paul* & *Julius*, as well of faith as of reformation, were recited. For the laſt thing, the

The Decrees of the two former convocations are recited.

the Secretary, going into the midſt, did interrogate, whether the Fathers were pleaſed that an end ſhould be made of that Synod, and in the name of it, of the Legats, and Preſidents, a confirmation demanded of Pope *Pius* the fourth, of all things decreed under *Paul*, *Julius*, and his Holineſſe. And they anſwered not one by one, but all together, *Placet*. Cardinall *Morone*, as chiefe Preſident, granted to every one that was preſent in the Seſſion, or had aſſiſted in the Councell, a Plenary Indulgence, and bleſſed the Councel; and diſmiſſed them all; ſaying, that after they had given thankes to GOD, they might goe in peace. 1563 PIUS 4. FERDINAND. ELIZABETH. CHARLES. 9 PHILIP 2. The Councell is ended. And a plenary indulgence is given.

It was an ancient cuſtome in the Orientall Churches, to handle the matter of Councels in a publique meeting of all, and, upon occaſion, popular acclamations did often happen, and ſomtimes tumultuous, which notwithſtanding did conclude in concord. And, in the end, the Biſhops, tranſported with joy, for the uniforme determinations, did paſſe to acclamations, in praiſe of the Emperours who had aſſembled and favoured the Councell, in commendation of the doctrine declared by the Councell, in prayers to GOD for his continuall divine aſſiſtance to the Church, for the welfare of the Emperours, and for the health and proſperity of the Biſhops; which were not premeditated, but as the ſpirit did excite ſome Biſhop more zealous to breake out fitly into ſome one of theſe conceipts, ſo the common concourſe did cry with him. This was imitated in *Trent*, yet not giving place to the extemporary ſpirit of any, but meditating what ſhould be propoſed, and anſwered, and repeating it out of a paper. The Cardinall of *Loraine* tooke upon him to be the chiefe, not onely to compoſe the acclamations, but to thunder them out alſo; which was generally conſtrued for a lightneſſe and vanity, not beſeeming ſuch a Prelate, and Prince, to doe an office which did belong rather to the Deacons of the Councell, then to ſo principall an Archbiſhop and Cardinall. The Cardinall roaring, and the Fathers anſwering, A long life for his Holineſſe, and eternall felicity for *Paul*, and *Julius*, were prayed for; likewiſe eternal memory for *Charles* the fift, and for the Kings, protectors of the Councell, long life for the Emperour *Ferdinand*, and for the Kings, Princes & Republiques, many thankes were given to the Legats and Cardinals, and long life withed unto them, life and happy return to the Biſhops, and the faith of the holy general Synod of *Trent* was cõmended as the faith of S. *Peter*, of the Fathers & of the Orthodoxe. An *Anathema* was denounced againſt all hereticks in generall, in one word only, not ſpecifying either ancient or moderne. The Fathers were cõmanded, upon pain of excommunication, to ſubſcribe the Decrees with their owne hand. The next day, being Sunday, was ſpent in this: and to doe it in order, there was, as it were, a congregation. And the ſubſcriptions were of foure Legats, two Cardinals, three Patriarkes, five and twenty Archbiſhops, 268. Biſhops, ſeven Abbats, nine and thirty Proctours of men abſent, ſeven Generals of Regular orders. And howſoever it hath been determined that the Ambaſſadours ſhould ſubſcribe after the Fathers, yet a contrary reſolution was then taken, for two reſpects. One was, that the French Ambaſſadour being not there, if the ſubſcriptions of the others ſhould be ſeene, and not his, it might be thought a manifeſtation, that the French-men, would not receive the Councell.

The cuſtome of Acclamations is imitated in *Trent*.

Wherein the Card. of *Loraine* was chiefe.

An excommunication of Hereticks in generall onely.

The number of thoſe that ſubſcribed.

The Ambaſſadours did not ſubſcribe, for two cauſes.

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Councell. The other becauſe the Count of *Luna* had ſaid that he would not ſubſcribe abſolutely, but with reſervation, becauſe his King had not conſented to the ending of the Councell. And the Legats publiſhed, that it not being the cuſtome that the Decrees ſhould be ſubſcribed by any that hath not a deliberative voyce, it would be a thing unuſuall, if the Ambaſſadours ſhould.

The Popes ſickneſs made a great confuſion in the Court.

In *Rome* when the Pope fell ſicke, all fearing his life, there was much confuſion in the Court. For never having knowne a Pope die in time of a Councell, they were very fearefull what might happen. They had the example of the Councell of *Conſtance*, which, in the election, joyned other Prelats to the Cardinals; and they were afraid that this, or ſome worſe thing might happen. And howſoever the Spaniſh Ambaſſadour *Vargas* affirmed, that the Spaniſh Ambaſſadour and Prelats in *Trent* had commiſſion, that the election ſhould be made by the Cardinals, yet in reſpect of their ſmall number, theſe words did not fully aſſure them. But the Popes recovery gave them much joy: which was increaſed by the concluſion of the Councel, as being now fully delivered from great danger. And the Pope ordained a ſolemne proceſſion to give thankes to God for this great benefit. In Conſiſtory he ſhewed what contentment he had in the Councell. Hee ſaid he would confirme it, adde many reformations unto it; that he would ſend three Legats, into *Germany*, *France* and *Spaine*, to perſwade the execution of the Decrees, to grant things honeſt, and to eaſe them in matters of poſitive Law.

A diſpute in Rome about the confirmation of the Decrees.

The Legates, *Morone* and *Simoneta* returned to *Rome* before Chriſtmas, from whom the Pope was willing to have a particular relation, in many audiences, of all that happened, and tooke a note of the names of the Prelates who had taken pains in the Councell, that he might create them Cardinals. The Court, underſtanding that the Pope was reſolved for the reformation, changed their joy into griefe; and all the Officers complained of the loſſe they ſhould receive in their offices, if that reformation were executed. And they conſidered moreover, that thoſe Decrees being conceived in generall termes, and without clauſes of ſubtill explication, as often as any difficulty did ariſe, the world now accuſtomed to barke againſt the Court, would make an interpretation contrary to their intereſts; which would be embraced, as a thing of faire ſhew, covered with the title of Reformation. Supplications and memorials were given to the Pope by thoſe, who, having bought the offices, and foreſeeing this loſſe, demanded reſtitution: a thing which the Pope did not neglect, and thought it did deſerve a good remedy, leſt there might be a deſolation in *Rome*. Whereof having diligently conſidered, he deputed Cardinals to conſult upon the confirmation, and to think upon ſome remedy for the complaints of the Court. Some Cardinals did adviſe to confirme immediately the Decrees of faith, and to proceed with maturity in the other. For ſome did deſerve much conſideration, in regard of their ſmall profit, and great confuſion they might bring, and others muſt be neceſſarily diſpenſed with, in regard of their impoſſibility, or great difficulty, at the leaſt; which could not be done with any *decorum*, nor without giving much matter of diſcourſe. Beſides, it would be neceſſary to have much

much conſideration that they might be ſo executed, that no man might receive loſſe or prejudice, that proviſion not deſerving the name of reformation, which is with the detriment of any; but by deferring, time, and the diligence of many would diſcover what might be done with common ſatisfaction of all, without which all reformations are turned into deformations. The Pope therefore elected eight Cardinals to review them; who after long diſcuſſion, were almoſt all of opinion, that it was fit they ſhould be moderated before the confirmation, and thought, that, being to ſuffer ſome oppoſition, it was better to doe it in the beginning, then, giving them reputation by confirming, to moderate them afterwards. It is certaine, that they who did procure the Councell, had no aime but to pull downe the Popes authority, and while the Councell did laſt, every one did ſpeake as if it had power to give lawes unto him. Notwithſtanding, it muſt now appeare by nullifying or moderating ſome of thoſe Decrees, that the Pope is not to receive lawes, but to give them to Councels.

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The Pope being of himſelfe inclined to the confirmation, and induced alſo thereunto by the perſwaſions of *Morone* and *Simoneta*, yet perplexed with the querimonies of the Court, and the generall opinion of the Cardinalls, that hee might come to a reſolution, beſides thoſe aforenamed, hee called the Cardinals of *Bordiſiera*, and *Amulius*, as alſo the principall officers of the *Chamber*, *Chancery*, and *Rota*: to whom the matter being propoſed, the foure Cardinalls did uniformely adviſe that the Councell ſhould be confirmed abſolutely. Cardinall *Amulius*, in whoſe memorials I have ſeene this negotiation, ſaid, that his Holineſſe by his patience, wiſedome, vertue, and with immenſe charge, and with the paines and charge of ſo many Prelates, had ſeene the end of a great and difficult enterpriſe, to aſſemble, direct, and finiſh the Councell; now a greater did remaine, but without difficulty, that is, to keepe himſelfe, the Apoſtolique Sea, and all the Eccleſiaſticall order, from returning into the ſame ſtraits, danger, inconveniences, and expences; that, for theſe fourty yeeres, the world hath ſpoken of nothing but of the Councell; which the Popes could not, by any meanes, divert, in regard of the certaine perſwaſion conceived of the neceſſity thereof, and of the fruit it would produce. But if, ſo ſoone as it is ended, queſtion be made of correcting or moderating it, or it be left in ſuſpence for want of confirmation, it will be a manifeſtation that proviſion hath not beene made in *Trent*, for that which was neceſſary, & expected, and ſuddenly another meanes of proviſion will be uſed, either by Nationall Councels, or another generall. And heere behold the ſame ſtraights, out of which the Church, with ſo great difficulty, hath been delivered by God. But approoving the Decrees, as a perfect reformation, and giving them credit, and as much execution as is poſſible, many wil beleeve that nothing is wanting; and nothing is more profitable for the preſent times, then to ſpread a fame, and nouriſh it, that the Councell hath made an holy, neceſſary, and perfect reformation, not ſuffering it to be known that any Cardinal hath doubted that it hath not performed that for which it was called. By ſo doing, the humour of the world wil be quiet by degrees, and his Holineſſe may provide for his miniſters & ſervants by diſpenſations, without violating the Decrees of the Councell,

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Councell, becauſe in them the Apoſtolike authority is reſerved; which may ſerve him for a buckler to deny the importunate demands of thoſe whom he will deeme unworthy of favour, and, in time, things will inſenſibly, the world not obſerving it, returne unto the ſame ſtate. He ſaid this courſe was taken heretofore when neceſſity compelled to yeeld to theſe humors, which uſually are bred in ſubjects againſt the governours; that when others doe oppoſe the Decrees, it was fit to maintaine them, for repuration of ſo many of his creatures, of his Legates, and of himſelfe alſo; much more ought he not to nullifie them wholly, as would be done by every little moderation, correction, or delay of confirmation; which the world would judge to be a mortall wound unto them all. Beſides, the vulgar who doe alwayes make the worſt interpretation, will have nothing to ſay, but that they Court and Pope will not endure a reformation.

This was oppoſed by almoſt all the officers of the Court, repreſenting their loſſes and prejudices, and ſhewing how all would redound to the offence of his Holineſſe and of the Apoſtolike *Sea*, and diminution of his revenues. Onely *Hugo Buoncompagno* Biſhop of *Beſtice*, who was Cardinall afterwards, a man much converſant in Court affaires, ſaid he could not chooſe but wonder at this great fear, w^ch^ he ſaw did ariſe without reaſon; that, by confirmation of the Councel, more authority was not given it then other generall Councels had, or then was given to the decree, or Decretals, by the great number of which, and by their plaine ſpeaking againſt the preſent manners, many more prejudices and offences might ariſe, then could do by theſe few decrees of *Trent*, much reſerved in the former words; that no law doth conſiſt in the tearmes, but in the meaning, not in that which the *Vulgar* and Grammarians do give it, but which uſe and authority doth confirme; that Lawes have no power but what is given them by him that governeth, and hath the care to execute them; that he, by his expoſition, may give them a more ample, or a more ſtrict ſence, yea and contrary to that which the words doe import, and that it would be no more to reſtraine or moderate the Decrees of *Trent* now, then to ſuffer them to be reſtrained by uſe, or by expoſition, in times convenient. Hee concluded that he ſaw no cauſe why there ſhould be any difficulty about the confirmation. But he put them in minde to withſtand preſently the inconveniences which might ariſe by the temerity of the Doctours, who, the more ignorant they are of government and publike affaires, the more they take upon them to give interpretation to Lawes, which doth confound authority; that experience ſheweth that Lawes doe no hurt, nor cauſe any ſuit, but by the divers ſenſes given unto them; that by the conſtitution of *Nicolas* the third, upon the rule of Saint *Francis*, a matter full of abiguities in it ſelfe, never any diſorder did ariſe, becauſe he forbade all Gloſſators, and Commentators to expound it; that if ſuch proviſion be made for the Decrees of *Trent*, and all men forbid to write upon them, a great part of that which is feared will be withſtood. But if his Holineſſe will forbid all interpretations, even to the Judges alſo, and ordaine that in all doubts they ſhall come for expoſition to the Apoſtolike *Sea*: no man will be able to make uſe of the Councell in prejudice of the Court, which by uſe, and by interpretations,

pretations, may be accommodated to that which will be for the benefit of the Church. And as there is a congregation which, with great fruit, doth take care of the Inquisition, so his Holinesse may appoint another for this particular of expounding the Councell, to whom all doubts shall be referred from all parts of the world. This being done, he said hee foresaw that, by the Decrees of the Councell, the authority of the Apostolike *Sea*, the rights and prerogatives of the Church of *Rome* will not only not be diminished, but increased & inlarged much, in case they know how to make use of these meanes. Those that heard him were mooved by these reasons; and the Pope saw it was necessary to come to the absolute confirmation, without any modification; and being perswaded that it would fal out as the Bishop had said, he was peremptory not to harken to any thing that could be spoken against it, but, full of hope to collect much fruit by the pains taken for finishing the Councell, he resolved to confirme it, to reserve the interpretation to himselfe, and to constitute a Congregation, as the Bishop had counselled: and, having imparted this to the Cardinals apart, he determined to effect it.

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All glosses or interpretations are forbid to be made upon the Decrees of the Councell.

Therefore the six and twentieth of Ianuary, *Morone* and *Simoneta* having related in Consistory the tenor of the Decree, made in the last Session, that the confirmation should be desired by them, they demanded that his Holinesse would vouchsafe to confirme all that which hath beene decreed, & defined in that Councell, under *Paul*, *Julius*, and his Holinesse. The Pope, first causing the Decree to be read, asked the opinions of all the Cardinals. They were all for the confirmation uniformely, except the Cardinals, Saint *Clemens*, & *Alexandrinus*; who said that too much authority had been given to Bishops in that Councell, and that it was necessary to moderate it, and then to make an exception of those points that did inlarge it too much, w^ch^ were noted already. In the end, the Pope concluded, that it was good to confirme all without exception, and so he did in words, in the consistory, confirming them, and commanding that they should be received; & inviolably observed by all the faithful; and the same day he published a Bull, subscribed by all the Cardinals; in which, having related the causes of calling the Councell, the progresse, the impediments and difficulties which happened from time to time, and his diligence in favouring the liberty thereof, granting them free power over the things reserved to the Apostolike Sea, he thanked God that it was ended with an intire consent. Therefore, being desired, in the name of the Synod, for confirmatiõ, knowing the Decrees to be all Catholike, and profitable for Christians, he hath confirmed them in Consistory, & doth confirme them by that writing, commanding all Prelats to cause them to be observed, and exhorting the Emperour, Kings, Republikes, and Princes, to assist for the observation of them also, to favour the Prelats, not to permit their people, but rather to prohibite them by all means to imbrace opinions contrary to the doctrine of that Councell; and to avoid confusion, he forbad all sorts of persõs, as well Clerks as Laiques, to make any commentaries, Glosses, Annotations, or any interpretation whatsoever upon them, or to make any kind of Statute, though under pretence of great strength, or better execution of the Decrees, but that, if any

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obſcure place wanted interpretation or deciſion, they ſhould have recourſe to the Apoſtolike *Sea*, becauſe he did reſerve unto himſelfe power to declare the difficulties or controverſies, as alſo the Synod had already decreed.

This Conſiſtoriall Act of confirmation, and the Bull, were printed, together with the decrees; which gave matter of ſpeech, it appearing by the tenor of them, that the Decrees had not vigor, as conſtituted by the Councell, but as confirmed by the Pope. Whereupon it was ſaid, that one had heard the cauſe, and another had given the ſentence. Neither could it be ſaid that the Pope had ſeen the Decrees before he confirmed them, becauſe it did appeare, by the conſiſtoriall Act, that he had onely ſeene the Decree for deſiring the confirmation. They ſaid alſo, that the Decrees made under *Paul* and *Julius* were read in *Trent*, and that it was fit they ſhould be confirmed by thoſe that heard them, rather then by him that did not know them. But others anſwered, that there was no need the Pope ſhould then ſee them, becauſe nothing was done in *Trent* w^ch^ was not firſt reſolved by him. In many conſiſtories following the Pope ſpake for the obſervation of the Decrees of the Councell, ſaying he would obſerve them himſelf, though he was not bound, and gave his word that he would never derogate from them but for evident and urgent cauſes, and with conſent of the Cardinals. He charged *Morone*, and *Simoneta*, to be diligent in advertiſing him, if any contrary thing were propoſed, or handled in conſiſtory: which was but a ſmall remedy againſt the tranſgreſsions, becauſe not an hundreth part of the grants made in *Rome* are diſpatched in conſiſtory. He ſent the Biſhops to their reſidence, & reſolved to make uſe of the *Protonotaries*, and *Referendaries* in governing the city of *Rome*, and the Eccleſiaſticall ſtate. But howſoever he was freed from great trouble, by the concluſion of the Councell, yet there were ſome remainders of it in all kingdoms, which brought new difficulties upon him.

The Decrees of the Councell have power from the Popes confirmation.

Advice came out of *Spain* that the King was offended with the ending of the Councell, and determined to call the Biſhops & agents for the Clergie of *Spaine* before him, to ſet downe in what manner it might be executed. And the advice was not falſe. For not only all that was done in *Spaine*, for receiving and executing the Decrees of the Councel that yeer, partly in the Spring, & partly in the Autumne, was by order and reſolution taken in the Kings Councell, but the King ſent alſo his Preſidents to the Synods, which were held, cauſing to be propoſed that which pleaſed him, and was fit for his ſervice; to the great diſtaſt of the Pope, who was angry the King ſhould take ſo much upon him in matters Eccleſiaſticall. But he made no demonſtration hereof to his Miniſters, purpoſing to make uſe of it in another opportunity, deſigned by himſelfe; which ſhall be related in due place.

And are executed in *Spaine* by the Kings authority onely.

Which maketh the Pope angry.

The Preſident *de Ferrieres*, having, while he remained in *Venice*, made obſervations upon the Decrees of the two laſt Seſsions held after his departure from *Trent*, & ſent them to the Court, the Cardinall of *Lorain*, at his returne into *France*, had many aſſaults, and reprehenſions, for conſenting to things prejudiciall to the Kingdome. They ſaid, that, by the words of the firſt Article of reformation in the laſt Seſsion, where it is ſaid, that the Pope

The Card. of *Lorraine* is taxed in *France*, at his returne.

Pope hath charge of the Vniverſall Church, in *Latin*, *Sollicitudinem Eccleſiæ Vniverſæ*, he had yeelded the point which himſelfe and all the French Biſhops had ſo long contended for, and obtained, that prejudice might not be done to the opinion of *France*, of the ſuperioritie of the Councell above the Pope; that he might have remedied this with one little word, by making them ſay, as S. *Paul* had done, *care of all the Churches*, becauſe no man would have denied that kind of ſpeech which S. *Paul* did uſe; that prejudice was likewiſe done to the ſame opinion of the ſuperioritie of the Councell in the one and twentieth Article of the laſt Seſſion, ſaving, in all the Decrees, the authority of the Apoſtolique *Sea*: and in the laſt Decree for demanding the Popes confirmation. It was oppoſed alſo, that the King, and French Church, having conteſted that the Councell might be declared to bee new, and not the old continued, the continuation was declared, that it was one Councell with that of *Paul* and *Julius*, in the ſaid one and twentieth Article, and in the Decree for reading the things conſtituted under thoſe Popes; by which all was baſely yeelded which had beene two yeers maintained by the King. They ſaid moreover, that the approbation of the things done under *Iulius* was diſhonorable, and prejudiciall to the proteſtation then made by King *Henry* the ſecond. But they reprehended above all, that honourable mention having beene alwayes made under *Paul* and *Julius*, of King *Francis* the firſt, and King *Henry* the ſecond, together with *Charles* the fifth, the Cardinall had not cauſed a memorie to be made of them in the acclamations, when it was made of *Charles*, nor the preſent King to be named, when the living Emperour was. The Cardinall excuſed other things, ſaying, that, with ſixe Prelates, (for he had no more in his company) he was not able to reſiſt the conſent of more then two hundred. But this laſt oppoſition he knew not how to excuſe, though hee ſaid it was to preſerve the peace of the two Kingdomes. For it was replied that he might have ſuffered others to make the intonation, and not to have beene the author himſelfe of that prejudice. And ſo it is ſeene, that vaine men often times, thinking to gaine reputation by *retaile*, doe loſe it in *groſſe*.

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But the Councellers of the Parliament found many other things to oppoſe againſt the Articles of Reformation, publiſhed in thoſe two Seſsions, where the Eccleſiaſtical authority they ſaid was inlarged beyõd its boũds, with the wrong and diminution of the temporall, by giving power to Biſhops to proceed to pecuniary mulcts, and impriſonment, againſt the Laitie; whereas no authority was given by CHRIST to his Miniſters, but meere and pure Spirituall; that when the Clergie was made a member and part of the policie, the Princes did, by favour, allow the Biſhops to puniſh inferiour Clergie men with temporall puniſhments, that diſcipline might be obſerved amongſt them, but to uſe ſuch kinde of puniſhments againſt the Laiques, they had neither from the Law of God nor of man, but by uſurpation onely; that, in the matter of Duell, they pretend to proceed againſt the Emperour, Kings and other Soveraignes, who graunt it in their Kingdomes, even by excommunication, whereas their opinion was that to permit Duell, in ſome caſes, was not amiſſe, as the permitting of

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fornication, and other offences, howbeit they are ſinnes, was not ill, in regard of publique utilitie, and to avoid greater inconveniences. They ſaid, that this power being naturall, and given to the Princes by God, could not be taken away, or reſtrained by any power of man. They thought it alſo intolerable, to excommunicate Kings and Princes, holding it for a ſure maxime in *France*, that the King cannot be excommunicated, nor his officers, for execution of their offices. They added, that to deprive Princes of their States, Lords of their fees, and to confiſcate the goods of private men, were all uſurpations of the temporall authoritie, becauſe that which was given by Christ to the Church, doeth not extend it ſelfe to things of this nature.

Concerning Patronages, they ſaid great wrong was done to the Seculars, in diſabling their proofs, and that the whole Article was grounded upon a falſe *maxime*, that all benefices are free, if the Patronage be not prooved. For Churches have no tẽporall goods but granted by the ſeculars, who can not be preſumed to grant them ſo, as that they may be managed and diſſipated at the pleaſure of the Eccleſiaſtiques: by which meanes it ought to be preſuppoſed, that every benefice had a Patrone, from the beginning of it, except an abſolute donation, with a totall ceſsion of the Patronage, can be ſhewed. And as the Common-wealth or Prince doth ſucceed him that hath no heire, ſo all benefices, the Patronage of which doth not belong to any, ought to be under the publique patronage. Some mocked that forme of ſpeech, that benefices which had Patrõs were in ſervitude, & the others free, as if it were not plaine ſervitude to bee under the diſpoſition of the Court of *Rome*, which doth manage them contrary to the inſtitution, and foundation, whereas the ſeculars doe preſerve them. Beſides the cenſure of ſome decrees for this cauſe, they added, that others were againſt the cuſtomes and immunities of the French Church; as the reſervation of great criminall cauſes againſt Biſhops to the cognition of the Pope alone, taking away the power of Provincial & National Councels, which have alwaies adjudged them in all caſes, and burthening the Biſhops, by forcing them to litigate out of the Kingdome, contrary not only to the cuſtome of *France*, but to the Canons of ancient Councels alſo, which have determined that ſuch cauſes ſhould be judged, and ended in their proper Countries. They ſaid it was againſt juſtice, and the uſe of *France* that benefices ſhould be clogged with *Penſions* and *Reſervations* of fruits, as was obliquely determined. Likewiſe, that it was not tolerable, that cauſes of the firſt inſtance ſhould be taken out or the Kingdome by the Pope, becauſe it taketh away a very ancient uſe, confirmed by many conſtitutions of Kings. Neither could it be juſtified by the exception, of urgent or reaſonable cauſe, experience of all times having ſhewed, that all cauſes may be taken out of the Kingdome by this pretence. For he that would diſpute whether the cauſe were urgent or reaſonable, doth enter into a double charge and difficulty, becauſe not only the principall cauſe, but that Article alſo muſt be diſcuſſed in *Rome*. They did, by no means, approve that the poſſeſsing of immoveables ſhould be granted to begging Friars; and ſaid, that they having been received into *France* with that inſtitution, it was juſt that they ſhould be maintai-

maintained in the ſame ſtate; that this was a perpetuall Artifice of the Court of *Rome*, to take goods out of the hands of ſeculars, & to draw them into the Clergie, and afterwards to *Rome*; that the Munkes did firſt gaine credit, by pretence of the vow of poverty, as if they aimed at no temporall thing, but did all in charity, for the good of the people; afterwards, having gained reputation, the Court doth diſpence with them for their vow, by which means the Monaſteries being made rich, are given in *Commenda*, and finally all commeth to the Court. To this they added an exhortation in the twelfth article, made to all the faithfull, to give largely to Biſhops, and Prieſts; which had beene good, in caſe they did ſerve the people as they ought, and were in need. For ſo *Paul* doth exhort, that he that is inſtructed in matters of faith, ſhould give ſome part of his goods to him that doth inſtruct him. But when he that beareth the name of a *Paſtor*, doth intend rather any other thing then to inſtruct the people, the exhortation is not fit; & the rather, becauſe Eccleſiaſticall goods formerly were for maintaining the poore, and redeeming ſlaves; for which cauſe not the immoveables only, but even the very ornaments of the Church, and holy veſſels were ſold. But in theſe laſt times it is prohibited to doe it, without the Pope; which hath enriched the Clergie exceeding much. In the *Moſaicall* law, God gave the tenth to the Levites who were the thirteenth part of the people, prohibiting that any more ſhould be given unto them; but the Clergy now, which is not the fiftieth part, hath gotten already, not a tenth onely, but a fourth part, and doth ſtill proceed & gaine, uſing alſo many artifices therein. They ſaid that *Moſes*, having invited the people to offer for the fabrique of the *Tabernacle*, when as much was offered as did ſuffice, did forbid them, in the Name of God, to offer any more; but here no end will be found, untill they have gotten all, if men will continue in the *lethargie*. If ſome prieſts, and religious perſons be poore, it is becauſe others are exceſſively rich, and an equall diviſion would make them all rich abundantly. but to omit theſe ſo evident conſiderations, if they did exhort the people, to aſsiſt the poore Biſhops and Prieſts in their neceſsities, it would be tolerable; but to ſay they ſhould be aſsiſted to maintaine their dignity, which is their pride and luxury, doth ſignifie nothing but that they are quite without ſhame. It is true that, in exchange, another Decree was made in the eighteenth Article, in favour of the people, that diſpenſaitons ſhould be given *gratis*; wch being commanded by CHRIST, and not obſerved, there was no hope that this Decree would doe any more good.

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The defence of the Card. of *Lorain.*

Theſe things being objected to the Cardinall of *Loraine*, that he had authorized them, againſt the expreſſe cõmandement of the King, in his letters of the twenty eighth of Auguſt before mentioned he defended himſelfe in one word only that in the Congregation of the tenth of November, the Decrees being read, to be publiſhed in the Seſsion, the next day, the rights and authority of the French King, and priviledges of the *Gallican* Church were reſerved. Whereunto *Monſieure le Feure* replied, that himſelfe and his colleague having uſed all diligence to have a copy of that Decree, they could never obtaine it, and that, in humane affaires, not to appeare was as much as not to bee. Beſides, this did not ſerve to excuſe the things publi-

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ſhed in the laſt Seſsion. But that which was ſaid concerning the Synode in the Councels of the King and Parlamẽt, was nothing to that which the Biſhops and Divines, and their ſervants alſo, according to the French liberty, did relate to every one, upon all occaſions, making jeſts at the diſcords, and contentions betweene the Fathers, at the practiſes and intereſts with which the matters of reformation were handled. And thoſe who were moſt familiar with the Cardinall of *Loraine*, ſpake moſt of all. And it paſſed in *France*, in manner of a *Proverbe*, that the moderne Councell had more authority then that of the Apoſtles, becauſe their owne pleaſure only was a ſufficient ground for the Decrees, without admitting the holy Ghoſt.

The cenſure made by the French BB. of the Councell, after their returne into *France*.

A Proverbe made in *France* concerning the Councell.

But, in *Germany*, the Decrees of reformation were not thought conſiderable, neither by the Proteſtants, nor by the Catholiques. The Proteſtants did examine the matter of faith only. They ſaid, that to have ſpoken one word incidently in handling the *Maſſe*, that it doth alsiſt the dead, which alſo may receive divers ſences, and, in the decree of *Purgatory*, to alleadge it as a definition of the Article, was a thing not to be uſed in Councels, eſpecially in this, where the matters were minced, & an Article of faith made of every queſtion, which could be mooved in any matter. And to commend Biſhops to teach the ſound doctrine of *Purgatory*, without declaring what it is, did ſhew that the Fathers had great haſt to depart frõ *Trent*. But in the matter of Saints the haſt was greater, condemning, in one breath, & in one period eleven Articles, not declaring what condẽnation it was, or whether they were condemned of hereſie, or for any other cauſe, & after a long diſcourſe of Images, anathematiſing thoſe that ſpeake againſt the Decrees, without letting them know w^h it doth comprehend under the *Anathem*, whether the immediately precedent concerning Images, or all the others above written. But of *Indulgences* they ſpake more then all the reſt; that theſe gave occaſion of the preſent diviſion amongſt Chriſtians; that the Councel was principally aſſembled for theſe; that, in that matter, there is no part which is not controverſed, and uncertaine, even amongſt the Schoolmen themſelves; and yet the Synod hath paſſed them over, without cleering any doubt, or deciding any controverſie. And concerning the remedy of abuſes, they ſpake in ſuch ambiguous termes, that it could not be underſtood what they did approve or diſapprove; ſaying, they did deſire a moderation, according to the old cuſtome approued in the Church. For it is certaine, and cannot be concealed, that, in no Chriſtian Nation of the Eaſterne Church, either in ancient or moderne times, there never was any uſe of *Indulgences*, of any kind whatſoever. And in the Weſt, if by ancient cuſtome, they meane that which was obſerved before *Urban* the ſecond, in the yeer 1095. no proofe can be brought of the uſe of *Indulgences*. If from that time untill the yeare 1300. It will appeare, that the uſe of them hath beene very ſparing, and only to free men, from puniſhments impoſed by the *Confeſſor*. Afterwards, from the Councel of *Vienna* the abuſes began, which did increaſe very much, untill the time of *Leo* the tenth, ſo that the Councel deſiring the reſtitution of the old cuſtome, approved in the Church, it was neceſſary to declare in what Church, & in what time. But thoſe words, that the

The cenſure of the Councell in *Germany*.

the Eccleſiaſticall diſcipline is weakned by too much facility in granting *Indulgences*, are a plaine confeſsion, that they belong not to the conſcience, nor do free men from any thing in the ſight of God, but touch the external only, that is, the Eccleſiaſticall diſcipline. For the difference of meats and faſts, they ſaid, that to command them was good, but that was not decided of which the world complained, that is, that they did bind the conſcience. Therefore the Princes of *Germany* held none eſteem of this Councell. Only ſome few miniſters of the *Auguſtan* confeſsion publiſhed a proteſtation, of which but little account was made. The Catholikes did not think of the doctrine of Purgatory, and of Indulgences, deſiring onely to obtaine the Communion of the Cup, mariage of Prieſts, & relaxation in the multitude of precepts *De jure poſitivo*, concerning faſts, feaſts, and ſuch other things.

1563
PIUS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

For whoſe ſatisfaction the Emperour, and Duke of *Bavaria* made inſtance to the Pope. The Emperour wrote letters to him, dated the fourteenth of February; ſaying, that, during the Councell, he had laboured to obtain the grant of the Cup, not for any private intereſt, or ſcruple of conſcience which he had, but becauſe he did beleeve, and doth ſtill, that the grant is neceſſary, to bring backe to the Church thoſe that wander; that he did then tolerate the impediments interpoſed, to treat thereof with the principall Prelates, and Princes of the Empire, with whom having conferred whether it were expedient to renew the ſame requeſt, they thought fit he ſhould move his Holineſſe therein. Therefore, calling to mind what the Cardinals *Morone* and *Loraine* had cauſed to be told him, which was confirmed alſo by the Biſhop of *Lieſina* his *Nuncio*, he would no longer defer to demand the grace of him, without repeating any more the weighty cauſes that did conſtrain him, deſiring him to aſsiſt the Germane nation, to which all wiſe Catholikes do thinke that the grant will be very beneficiall, adding, that to preſerve the Remainder of Religion in *Germany*, and extirpate hereſies, it will be of great moment to grant, that Prieſts, who are ſeparated becauſe they are married, may be reconciled, and retaine their wives, and that hereafter where there is not a ſufficient number of Prieſts, married men of good life and fame may be admitted to the Prieſthood. For this he prayed him in his owne name, and in the name of the Duke of *Bavaria*, his ſonne in law, aſſuring him that he ſhould doe a thing worthy of his piety, and moſt acceptable.

The Emperour writeth to the Pope about the communion of the Cup.

The letters of the Duke of *Bavaria* did containe; that, having ſent often to his Holineſſe, to ſhew the miſerable ſtate of *Germany* in matters of Religion, he did hope he ſhould not long deſire the medicine; which ſeeing it, was not applied untill then, he, together with the Emperour, & Eccleſiaſticall *Electors*, did pray him to grant power to the Archbiſhop of *Salzburg* to give leave to Catholike Prieſts to adminiſter the Cup to thoſe who have confeſſed, & are penitent, and do beleeve the other Articles of Religion: w^ch^ grant would give ſatisfaction to his ſubjects, who remain in his ſtate, & to thoſe alſo who go forth of his Dominions to ſeek thoſe who will miniſter it unto them, that himſelfe will always be content with one kind, nor will force any to uſe the Cup, who, as himſelfe, will be content with the bread only; that for theſe he demandeth nothing, but that it ſeemeth to him not inconve-

And ſo doth the Duke of *Bavaria*.

1563
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

inconvenient for the *Vicar* of Chriſt to have pitie upon the others alſo. Likewiſe he praied his Holineſſe that he would grant, for ſometime at the leaſt, that married Prieſts may be reconciled to the Church, keeping their wives, and married man ordained alſo.

A Remonſtrance concerning the ſame Grant.

To theſe letters was added a Remonſtrance, or conſideration, compoſed by the Divines of *Germany*; in which it was ſaid: That it was plaine, that the Scripture of the New and Old Teſtament doth permit Prieſts to have wives, becauſe the Apoſtles, ſome few excepted, were married; neither is it found that Chriſt, after their vocation, did ſeperate their wives from them. That in the Primitive Church, as well Orientall, as Occidentall, the marriages of Prieſts were free, untill the time of *Caliſtus* the Pope; that the civill Lawes did not condemne the marriage of Clerkes, that it is certaine, that ſingle life is better in the Clergie, & more to be deſired, but that, in reſpect of the fragility of nature, and difficulty to be continent, there are but few who doe not feele the pricks of the fleſh. Therefore *Euſebius* relateth, that *Dionyſius* did admoniſh *Quintus* the Biſhop, that he ſhould conſider of the weaknes of the major part, and not lay the burthen of ſingle life upon the brethren. And *Paphnutius*, in the Councell of *Nice*, ſaying, that the uſe of ones owne wife was chaſtity, perſwaded the Councel not to impoſe the law of ſingle life. And the Synod of *Conſtantinople* did not forbid the uſe of wives, but in the time when they were to offer ſacrifice. That if ever there were cauſe to permit matrimony unto Clerks, it was in that age. That amongſt fifty Catholike Prieſts, hardly one can be found that is not a notorious fornicator. That not the Prieſts only deſire matrimonie, but the Seculars alſo, that they may not ſee ſuch beaſtly behaviour, and the Patrons of Churches will not give the benefices but to married men. That there is great want of Miniſters only for the prohibition of Matrimony. That the Church hath formerly remitted the ſeverity of the Canons for this cauſe alone. That the Pope did confirme a Biſhop in *Saragoſa*, who had a wife & children, and a Deacon, who had been twice married, and committed the Sacrament of Confirmation to ſimple Prieſts, in defect of a Biſhop. Therefore many Catholikes did then, and do now think better to diſpence with the law of continence, then, by retaining it, to open a gate to uncleane ſingle life, leaving marriage free for all; and the rather, becauſe Cardinall *Panormitan* doth hold, that it would be good for the ſalvation of ſoules to grant Matrimonie; and that there are examples of the old Church, and in the *Anciran* Councell, of *Adam*, and *Eupſychius Ceſarienſis*, Prieſts. That it is certaine, that the Pope may diſpence with Secular Prieſts; which ſome alſo extend unto Regulars. That it ſeemeth a great abſurdity not to admit married Clerks, and to tolerate fornicators and to remoove both would be as much as to remain without Miniſters, & that if they ought to be bound to the vow of chaſtity, none ſhould be ordained but old men. That it is not a good reaſon to retaine ſingle life with the teeth, to preſerve Eccleſiaſticall goods, it not being juſt, in reſpect of temporall things to make ſhipwrack of ſoules. Beſides, proviſion might be made herein, by ſome other means; which being done, concubinate would be baniſhed out of the Church, and the ſcandall which offendeth many taken away.

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The Pope, conſidering theſe remonſtrances, was of opinion to call to *Rome* pious and learned men, of all Nations, to handle this point with maturity, and ſpake of it to the Ambaſſadours reſiding with him. But Cardinall *Simoneta* did diſſwade, ſaying, it would be a kinde of Councell, and that if men ſhould come out of *France*, *Spaine*, *Germanie*, and elſewhere, they would bring intelligences and inſtructions of Princes, & would be governed and ſpeake according to their intereſts, and that, when his Holineſſe would be quit of them, he could not do it at his pleaſure; that, if he did not follow their opinion, it would diſtaſte the Princes, that he ſhould remeber what troubles the Councell put him to, and not fall into the like dangers. The Pope thought the Councell was ſincere, and profitable, and therefore, thinking no more of ſtrangers, he deputed nineteen Cardinals, giving them order to examine diligently the writing that came out of *Germany*. 1563 PIUS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The twelfth of March the Pope made a promotion of nineteene Cardinals, for reward of the great ſervice they did him in Councell, in which he reſolved not to comprehend any of thoſe who held the Reſidence, and Inſtitution of Biſhops, to be *de jure divino*, howſoever their qualities might otherwiſe deſerve the degree; and did not forbeare to diſcover ſo much to all ſorts of perſons, upon every occaſion. He created *Marcus Antonius Colonna*, Archbiſhop of *Taranto*. *Alviſe Piſano*, Biſhop of *Padua*. *Marcus Antonius Bobo*, Biſhop of *Aoſta*. *Hugo Buon Compagno*, Biſhop of *Beſtice*. *Alexander Sforza*, Biſhop of *Parma*. *Simon Paſqua*, Biſhop of *Serzana*. *Carlo Viſconte*, Biſhop of *Vintimiglia*. *Franciſcus Abondius* Biſhop of *Bobio*. *Guido Ferrier* Biſhop of *Vercelli*. *Johannes Franciſcus Commendone*, Biſhop of *Zante*. *Gabriell Paleotto*, Auditor of the *Rota*: all which had laboured faithfully in Councell for the ſervice of his Holineſſe. To theſe he added *Zacharias Delphinus*, Biſhop of *Lieſina*, who, being reſident with the Emperour, tooke no leſſe paines for concluding the Councell then the others had done in *Trent*. A promotion of 19 Cardinals.

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TO THE READER.

Courteous Reader.

NOw that thou haſt peruſed this Hiſtory, I intreat thee to read over theſe ſmall parcels following. The firſt is an Epiſtle of S. Gregorie the great, who was Biſhop of Rome about ſixe hundred yeeres after CHRIST, and was as learned, and as conſciencious, as any that preceded in that Sea, or that followed after. Thou canſt not but perceive, that howſoever he aſcribeth to S. Peter as much preheminence as any other ancient writer hath done, if not more, yet he doth renounce in moſt ample tearmes, or rather abominate that ſwelling Antichriſtian power which was then chalenged by Iohn the Patriarch of Conſtantinople, but long ſince hath beene practiſed by the Biſhops of Rome, and never more, nor more prejudicially to the Church Catholique, then in this pretended Councell of Trent.

And that thou mayſt not wonder how theſe Biſhops could ſore ſo high as to be at laſt above Kings and Emperours, to whom S. Gregorie and his predeceſſours profeſſed and performed all dutifull obedience and ſervice, I have tendred unto thee in the next place three ſeverall paſſages out of the Hiſtory of Francis Guicciardine, a famous Florentine, who knew their practiſes as well as any, and hath dared to relate them plainly. The Papalins have beene ſo wiſe in their wicked generation, as in all late Editions, to cauſe them to be left out; thereby the better to conceale their unjuſt uſurpation, againſt both Eccleſiaſtiques and Laiques.

Now leſt any might uncontrolably ſay, that howſoever they might be faulty at other times, yet thoſe were worthy who gover-

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ned the Sea of Rome *when this Councell was assembled, to cleere the truth concerning these, looke over the passages following, taken out of some Epistles written by men of great esteeme, who resided in the Councell, and gave account to their Superiours of all that passed, or by their Superiours to them backe againe. By these it will appeare that the spirit of Antichrist, and not the holy Ghost, did governe in it. They shew the practises of* Rome *to be so grosse, and so abhominable, that thou mayest easily beleeve, that* *Papirius Massonius, *a Popish writer, had just cause to say, speaking of the Popes who lived in the time of this Councell*; In pontificibus nemo hodiè sanctitatem requirit; optimi putantur si vel levitêr mali sint, vel minus boni quam cæteri mortales esse solent. *Englished thus: No man expects any sanctity in Popes now a dayes; they are thought to be excellent Popes, if they have never so little honesty, or be not so wicked as other men use to be.*

*In vita Pauli 3.

Last of all, thou mayest reade an Epistle written by that famous Prelate, Bishop Iewell, *as an answere to a friend of his, who lived neere the place, and in the time of his unlawfull assembly, or conventicle at* Trent. *In it thou mayest finde reason enough, why the Church of* England *did neither send Prelates to it, nor receive afterwards the Decrees and Constitutions of it. As likewise the Church of* France *refused to doe, though their Bishops were present in it. When thou hast reade these things, consider well of them, and the Lord give thee a true understanding in all things.*

GREGORIE

Gregory *to the Emperor* Mauritius, *concerning* Iohn *Biſhop of Conſtantinople, who hath aſſumed the name of Univerſall Biſhop. Chap. 76.*

OUr moſt religious Lord, whom God hath placed over us, amongſt other weighty cares belonging to the Empire, doth labour (by the juſt rule of holy Writ) to keepe the Clergie in peace and charity. He truely and piouſly conſidereth that no man can well governe matters terrene, except he can manage well things Divine alſo, and that the Common-wealths peace and quiet depends upon the tranquillity of the Church Univerſall. For (moſt gracious Soveraigne) what humane power or ſtrength would preſume to liſt up irreligious hands againſt your moſt Chriſtian Majeſtie, if the Clergie, being at unity amongſt themſelues, would ſeriouſly pray unto our Saviour CHRIT to preſerve you, who have ſo well deſerved of us! or what nation ſo barbarous as would exercite ſuch cruelty againſt the faithfull, except the lives of us, who are called Prieſts, but indeede are not, were moſt depraved and wicked. But whileſt we leave thoſe things which belong not unto us, and imbrace thoſe things for which we are not fit, we raiſe the Barbarians up againſt us, and our offences do ſharpen the ſwords of our enemies, by which meanes the Common-wealth is weakned. For what can we ſay for our ſelves, if the people of God, over whom we are, though unworthily, placed, be oppreſſed by the multitude of our offences? if our examples deſtroy that which our preaching builds, and our workes give, as it were, the lie to our doctrine? our bones are worne with faſting, but our minds are puft up: Our bodies are covered with poor cloathing, but in our hearts we are as brave as may be: We lie groveling in the aſhes, but aime at matters exceeding high: we are teachers of humility, but patternes of pride, hiding the teeth of Wolues under a ſheeps countenance. The end of all is to make a ſhew to men, though God knoweth the trueth. Therefore our moſt pious Soueraigne hath been moſt prudently carefull to ſet the Church at unity, that he might the better compoſe the tumults of warre, and to joyne their hearts together. This verily is my deſire, and do yeeld, for my part, due obedience to your ſoveraigne commands. Howſoever, in regard it is not my cauſe, but Gods; and for that not I onely, but the whole Church is troubled; becauſe religious Lawes, venerable Synods, and the very precepts of our Lord JESUS CHRIST are diſobeyed by the invention of a proud and pompous ſpeech, my deſire is, that our moſt *Religious Soveraigne* would Ep. 32.

lance this ſore, and would tie the party affected with the cords of his Imperiall authority, in caſe he ſhall make his reſiſtance. By binding of him the Common-wealth is eaſed, and by the paring away of ſuch excrements as theſe, the Empire is inlarged. All men that have read the Goſpell do know, that, even by the very words of our LORD, the care of the whole Church is committed to S. *Peter* the Apoſtle, Prince of all the Apoſtles. For to him it is ſaid, **Peter loveſt thou me? Feed my Sheepe*: * *behold, Satan hath deſired to winnow thee as wheat, and I have praied for thee, that thy faith ſhould not fail*: and *thou being at the laſt converted confirm thy brethren.* To him it is ſaid, **Thou art Peter, and upon this rocke I will build my Church, and the gates of hell ſhall not prevail againſt it. And to thee I will give the Keyes of heaven, and whatſoever thou bindeſt on earth ſhal be bound alſo in heaven, & whatſoever thou ſhalt looſe on earth, ſhall be looſed alſo in heaven.* Behold, he hath the Keyes of the Kingdome, and the power of binding and looſing is given unto him. The care and the principality of the whole Church is committed to him; and yet is not called *Univerſall Apoſtle*: howbeit this moſt holy man *John*, my fellow Prieſt, laboureth to be called *Univerſall Biſhop*. I am inforced to cry out, and ſay, *Oh corruption of times and manners!* Behold, the *Barbarians* are become Lords of all *Europe*: Cities are deſtroyed, Caſtles are beaten downe, Provinces depopulated, there is no husbandman to till the ground, Idolaters doe rage and domineer over Chriſtians, and yet Prieſts, who ought to lie weeping upon the pavement, and in aſhes, deſire names of vanity, and doe glory in new and profane titles. Doe I (moſt *Religious Soveraigne*) plead herein mine owne cauſe? Doe I vindicate a wrong done to my ſelfe, and not maintaine the cauſe of God Almighty, and of the *Church Univerſall*? Who is he who preſumeth to uſurpe this new name againſt both the law of the Goſpel and of the Canons? I would to God there might be one called *Univerſal*, without wronging of others. We know that many Prieſts of the Church of *Conſtantinople* have been not only heretiques, but even the chief leaders of them. Out of this ſchoole proceeded *Neſtorius*, who, thinking it not to be poſſible that God ſhould be made man, did beleeve that JESVS CHRIST, the Mediatour betweene God and man was two perſons, and went as far in Infidelity as the Jewes themſelves. Thence came *Macedonius*, who denied the holy Ghoſt, conſubſtantiall to the Father and the Sonne, to be God. If then every one in that Church doth aſſume that name, by which he maketh himſelfe the head of all good men, The Catholique Church (which God forbid) muſt needs be overthrowne when he falleth who is called *Univerſall*. But let this blaſphemous name be farre from Chriſtians; by which all honor is taken from all other Prieſts; while it is fooliſhly arrogated by one. It was offered to the Biſhop of *Rome* by the reverend Councell of *Chalcedon*, in honour of S. *Peter*, Prince of the Apoſtles: but none of them either aſſumed, or conſented to uſe it; leſt while this priviledge ſhould be given to one, all others ſhould be deprived of that honoor which is due unto them. Why ſhould we refuſe this name when it was offered, & another ſhould aſſume it without any offer at all? This man, contemning obedience to the Canons, is the rather to be humbled by the commands of our moſt pious *Soveraigns*. He is to be chaſtiſed who doeth injury to the holy Catholique Church, whoſe

* Iohn 21.
* Luke 22.

* Matt. 16.

heart

heart is puſt up, who ſeeketh to pleaſe himſelfe by a name of ſingularity, whereby he ſhould make himſelf to be above the Emperor. We are all ſcandalized herein: Let the author of this ſcandall reforme himſelfe, and all differences in the Church wil ceaſe. I am ſervant unto all Prieſts ſo long as they live like themſelves: but if any ſhall vainly ſet up his briſtles contrary to God Almighty, and to the Canons of the Fathers, I hope in God that he ſhall never be able to bring my neck under his yoke, no not by force of arms. What hath hapned in this City by occaſion of this name I have more exactly declared to *Sabinianus* the Deacon, my Agent. Let therefore my religious *Soveraignes* thinke of me their *Servant*, whom they have alwayes cheriſhed and upheld more then others, as of one who deſireth to yeeld them *Obedience*, and yet am afraid to be found guilty of negligence in my duty in the later fearfull day of judgement. Let our moſt pious *Soveraigne* either vouchſafe to determine the buſineſſe, according to the petition of the forenamed *Sabinianus* the Deacon, or cauſe the man ſo often mentioned, to renounce this claime. In caſe he doe ſubmit to your moſt juſt ſentence, or favourable admonitions, we will give thankes to Almighty God, and rejoyce for the peace of the Church, procured by your clemency. But if he ſhall perſiſt in this contention, we will hold the ſaying to be moſt true: **Every one that exalteth himſelfe ſhall be brought low.* And againe it is written, **Before a fall the heart will be lifted up.* In *obedience* to my *Soveraignes*, I have written to my brother Prieſt both gently and humbly that he would deſiſt from the purſuit of this vaine-glory: if he give eare unto me, he hath a brother devoted unto him: but if he continue in his pride, I ſee already what will betide him; he will make him his enemy of whom it is written, **God reſiſteth the proud, and giveth grace to the humble.*

* Luk 14.18.

* Prou.16.

* Iam.4.

A part of the Hiſtory of Francis Guicciardine, *ſtollen out of his third Booke concerning Pope* Alexander, *the ſixt.*

BUt he could not alwayes avoyd domeſticall misfortunes, which troubled the affaires of his family with tragicall examples, proceeding from ſuch luſt and cruelty, which would be accounted horrible even in any barbarous nation whatſoever. For having reſolved from his firſt entrance into the *Papacie*, to put all the temporall greatneſſe upon his eldeſt ſon the Duke of *Candia*, the *Cardinall of *Valentia*, whoſe minde was wholly averſe from all Eccleſiaſtic profeſſion, and deſired rather to be exerciſed in military affaires, not enduring to be prevented herein by his brother, and beſides being impatient that hee had a greater ſhare in the love of the Lady *Lucretia*, who was common ſiſter to them both; cauſed him to be murthered as he rid alone one night through *Rome*, and ſecretly to bee caſt into the river *Tiber*; being incited thereunto partly by luſt, and partly by ambition, powerfull miniſters to affect any wickedneſſe. There was a fame (if poſſibly ſo enormous an abhomination may be beleeved) that not onely the two brothers, but even the Father himſelfe

* His ſecond ſonne.

were corrivals in the love of this Lady *Lucretia*. Before hee was created Pope he gave her in marriage to a man of meane degree; from whom, ſo ſoone as he began to ſit in *Peters* chaire, he did ſeparate her, as being now unworthy of her. Then he married her to *John Storza*, Lord of *Peſaro*. After that, not enduring that this her husband ſhould be partaker of her love with him, he diſſolved the marriage, although conſummated, by ſuborning falſe witneſſes to depoſe before Judges, appointed by himſelfe for the ſame purpoſe, who gave ſentence that this *John* was friged and impotent by nature. This did afflict beyond meaſure, &c.

A ſecond place containing a large diſcourſe by what means the Popes of Rome *attained to that greatneſſe which they now enjoy, taken quite out of the fourth Booke of the Hiſtory of* FRANCIS GUICCIARDINE.

FOr the liquidation whereof, and of many other things which happened in after ages, it is neceſſary to relate what title the Church hath to the territory of *Romania*, and to many others which it either hath poſſeſſed at divers other times, or doth poſſeſſe at this preſent: as alſo by what meanes, it being firſt inſtituted (as was fit) for Spirituall government, it came to poſſeſſe temporall States and Empires. Likewiſe it is convenient to expreſſe (as a matter belonging to this argument) what contentions have hapned at ſeverall times betweene the Popes and the Emperours upon theſe and the like occaſions.

The Biſhops of *Rome*, the firſt whereof was the Apoſtle *Saint Peter*, their authority being founded by JESUS CHRIST in things Spirituall onely, did abound with charity, humility, patience; and many miracles were wrought by them. At the firſt they were not onely deſtitute of all temporall power, but were perſecuted by it; neither was their name ſo much as ſpoken of, but for the afflictions and the torments which they and their followers did endure. For howſoever their proceedings were ſometimes not obſerved, by reaſon of the multitude and variety of nations and profeſſions in *Rome*, and ſome of the Emperours did forbeare to queſtion them, but only when their actions did ſeem to croſſe the publique government, yet ſome others, either becauſe they were inclined to cruelty, or for the love they bare to their owne gods, did bitterly perſecute them, as inventers of new ſuperſtitions, and enemies of true Religion.

In this ſtate of life they continued, untill the time of *Silveſter* the Pope, to be moſt famous for their voluntary poverty, ſanctity of life, and martyrdomes. Afterwards, *Conſtantine* the Emperor being turned Chriſtian, moved therunto by the holines of thoſe who followed CHRIST, & by the miracles done by them, the Popes came to be ſecure from thoſe dangers to which they had been ſubject for the ſpace of 300 yeers before, and had free exerciſe of their Chriſtian profeſſion. Hereupon, for the reverence which the holineſſe of their life and religion had procured them, & becauſe men are prone to follow the example of their Prince, by reaſon either of ambition or feare,

Chriſti-

Chriſtianity began marvailouſly to ſpread it ſelfe, and the poverty of Chriſtians not to be ſo great as it was. For (*Conſtantine* having built the Church of Saint *John* in *Lateran*, of Saint *Peter* in the *Vatican*, of Saint *Paul*, and many others in divers places, not only gave them plate and ornaments, but alſo, that theſe might be preſerved and renewed, the Churches repaired, and the Clergie belonging to them maintained, he endowed them with poſſeſſions and with revenues. In after times, many, perſwading themſelves that they ſhould gain heaven more eaſily by being liberall toward Churches, either built & indowed other Churches, or gave to thoſe which where built before. In like manner every one paid them tithes due either by law or cuſtome, as in the old Teſtament is commanded. Wherein every one was the more forward, becauſe Clergie-men in thoſe times contented themſelves with neceſſaries onely, and beſtowed the remainder either to repaire their Churches, or to adorne them, or in workes of charity and piety. Now the Biſhops of *Rome* (pride & ambition having not as yet poſſeſſed their hearts) were acknowledged by all Chriſtians to be ſuperiours of all Churches, in all Spirituall government, as ſucceſſours unto the Apoſtle Saint *Peter*; becauſe that City, by reaſon of the dignity and greatneſſe thereof, retained the name and majeſty of the Empire as head of all the reſt, and becauſe Chriſtian Religion was thence diffuſed into the greater part of *Europe*, and becauſe *Conſtantine* (having been baptized by *Silveſter*) did willingly acknowledge that ſuch authority belonged to him and his ſucceſſors.

Beſides, there is a fame that *Conſtantine*, being conſtrained to tranſlate the ſeat of the Empire to *Bizantium*, now called (by his name) *Conſtantinople*, by occaſion of ſome accidents hapning in the Weſterne Provinces, gave to the Popes the Lordſhip of *Rome*, and of many other Cities and Provinces in *Italy*. This fame, though cheriſhed by ſucceeding Popes, and beleeved by many, by reaſon of their authority and credit, is not onely diſproved by more probable authors, but even by the very things themſelves. For it is moſt manifeſt that *Rome*, as alſo all *Italy* obeyed the Emperors and their Magiſtrates, both then and many yeers after. Some wil not beleeve any thing at all that hath been ſpoken concerning *Conſtantine* and *Silveſter* (ſuch is the obſcurity of things done ſo long agoe) affirming that they liued not at the ſame time: yet no man denieth that the tranſlation of the Empire was the firſt cauſe of the Popes authority. For the people of *Rome* withdrew their obedience from the Emperours by occaſion of their abſence, and of the difficulties which they found in the *Eaſt*, and did the rather performe willingly ſome certain obſequiouſneſſe to the Biſhops of *Rome*, though indeed no abſolute ſubjection.

Theſe things appeared but ſlowly becauſe of the inundations of the *Gothes* and *Vandals*, and other barbarours nations into *Italy*; by which *Rome* having been often ſacked, the Popes, in reſpect of temporall matters, were obſcure and meane, and in *Italy* the Emperors had very ſmall authority, having left it as a prey to the *Barbarians*. Of theſe nations, the reſt being paſt away like a torrent, the *Gothes*, who were Chriſtians both by name and by profeſſion, and had their extract from ſome parts of *Dacia* and of *Tartaria*, continued their power there ſeventy yeeres together. When theſe were

were driven out of *Italy* by the Emperours, the Countrey began againe to be governed by *Greeke* Magiſtrates, the chiefe of which, called (by a *Greek* word) *Exarke*, kept his reſidence at *Ravenna*, a City very ancient, and then very rich, and much inhabited by reaſon of the fertility of the Countrey. This City being much augmented by the great armada which *Auguſtus Cæſar* and other Emperours continually maintained in the Port neer adjoyning, which now is vaniſhed, was inhabited by many Captaines, and after a good while together by *Theodorick* King of the *Gothes*, and by his ſucceſſors, who made choyce of it for the ſeat of their Kingdome, becauſe that Sea was neerer to the Emperours of *Conſtantinople*, whoſe power they ſuſpected. The *Exarks* ſeated themſelves in the ſame place, becauſe of the opportunity thereof, though upon a contrary ground, and deputed particular magiſtrates, whom they called Dukes, to governe *Rome* and other Cities of *Italy*. Hence the *Exarchate* of *Ravenna* tooke the name, under which was contained whatſoever was not governed by particular Dukes. In thoſe times the BB. of *Rome* had no temporall power at all; and having loſt their former Spirituall reverence, becauſe their lives began to be more corrupt, they were ſubjects to the Emperors, without whoſe confirmation or of their *Exarks*, they durſt not accept the *Papacie*, though they were ſolemnly choſen by the Clergie and people of *Rome*: Nay, becauſe the principall ſeat of Religion followeth the power of the Empire, and of armies, the Biſhops of *Conſtantinople* and *Ravenna* did often juſtle with them for ſuperiority.

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This their greatneſſe was increaſed by a new accident. For the *Normans* (the firſt of which was *William* ſurnamed *Ironarme*) having taken *Puglia* and *Calabria* from the Empire of *Conſtantinople*, *Robert Guicciard*, one of them, either to fortifie himſelfe by this colour, or to make himſelfe the ſtronger againſt theſe Emperours, or for ſome other reaſon, firſt reſtored *Benevent* to the Church, and then acknowledged that the Dukedome of *Puglia* and *Calabria* were held in vaſſallage of it. In conformitie of this example *Roger*, one of his ſucceſſors, having chaſed *William*, a man of the ſame family, out of this Dukedome, and then poſſeſſed himſelfe of *Sicilie*, hee acknowledged in the yeere 1130: that hee held theſe Provinces in vaſſallage of the Church, under the title of King of both the *Sicilies*, the one beyond the other on this ſide *Faros*. The Popes refuſed not to cheriſh the uſurpation and violence of others, in regard it ſerved to advance their owne ambition and profit. For they proceeded further (as the deſires of men are never ſatisfied) and deprived one of the Kings of theſe Kingdomes for diſobeying their commands, and gave them to another. By this meanes they came to *Henry* the ſonne of *Frederick Barbaroſſa*; from him to his ſonne *Frederick* the 2. all which three were Emperours of *Rome* ſucceſſively. But *Frederick* being a bitter perſecuter of the Church, and the factions of *Guelfs* and *Ghibelius* being on foot, of the one of which the Pope, of the other the Emperor was *head*, the Pope after the death of *Frederick*, granted theſe kingdomes to *Charles*, *Earle* of *Anjou* and *Provence*, of whom we ſpake before, upon condition he ſhould pay 6000 ounces of Gold yeerely for tribute, and that neither he nor any of his ſucceſſors ſhould accept of the *Romane* Empire. This condition hath been ſpecified ever ſince in the inveſtiture of the Kingdome of *Naples*. The kingdome of *Sicilie*, being uſurped by the Kings of *Aragon*, withdrew it ſelfe within few yeeres from the obedience of the Church, both for the tribute, and for the vaſſallage.

There hath beene a fame, though not ſo certaine as thoſe things which have beene ſpoken of, that the *Counteſſe Maude*, a potent Princeſſe in *Italy*, gave long before to the Church that part of *Tuſcanie* which is bounded by the torrent *Peſcia*, the Caſtle called *Saint Quirico* in the county of *Siena* the Sea called *Mare inferum*, and the river *Tiber*, now knowne by the name of the *Patrimonie of Saint Peter*. Some adde that ſhe gave to the Church likewiſe the City of *Ferrara*. Theſe things are not certaine: and it is more uncertaine (which notwithſtanding is related) that *Authpertus* King of the *Lombards* then flouriſhing, gave the Pope the *Alpes* called *Cocciæ*, in which they ſay that *Genua*, and all the tract from thence to *Provence* is contained: as alſo that *Suithprandus*, King of the ſame Nation, gave him *Sabina*, a Countrey neere to *Rome*, *Narvia*, *Ancona*, and certaine other Lands.

As theſe things did varie, ſo the affaires of the Popes and Emperours did vary alſo. At the firſt, for many ages together, the Popes were perſecuted by the Emperours: afterwards they were at quiet, *Conſtantine* being converted to the faith: but ſo as that they medled with Spirituall matters onely, and were little leſſe then wholly ſubject to the Emperours. After that they lived a long time in very meane eſtate, and had no commerce at all with them

them, by reaſon of the great power of the *Lombards* in *Italy*. But after they had gotten temporal authority by the aſſiſtance of the Kings of *France*, they adhered very much and very willing to the Emperors, ſo long as the Empire continued in the poſterity of *Charles the Great*, in regard of benefits given and taken, as alſo in regard of the greatneſſe of the Emperours. But when the Imperiall greatneſſe declined, they withdrew themſelves from the Emperours, and profeſſed that the Biſhops of *Rome* ought to give lawes to them, rather then to receive any from them. Now becauſe they hated to come under the old yoke, and feared that ſome of the Emperours, according to the example of their moſt potent and braveſt predeceſſors, would attempt to recover the rights of the Empire in *Rome*, they openly oppoſed them by war, aſsiſted by ſome Tyrants who called themſelves Princes, and by ſome Cities who had ſet themſelves at liberty, and did no more acknowledge the authority of the Empire. Hence it came to paſſe that the Popes aſſuming every day more and more, they converted their Spiritual weapons to maintain their temporall affaires For making this interpretation, that, as *Vicars* of CHRIST on earth, they were above the Emperors, and that in many cales the whole care of matters terrene belonged to them, ſometimes they depoſed the Emperours, and moved the *Electors* to make choyce of others in their roome, and ſometime the Emperours choſe new Popes, or cauſed them to be choſen by others.

By theſe controverſies, and by the Popes abode ſeventy yeeres at *Avignion*, and by meanes of a *Schiſme* which happened in *Italy* after that the Popes were returned to *Rome*, it came to paſſe that in thoſe Cities which were ſubject to the *Church*, eſpecially in thoſe of *Romania*, many potent Citizens, each in his owne Country, attained to ſoveraigne power. The Biſhops of *Rome* either perſecuted them, or, not being able to overcome them, gave them theſe Cities, to be held of them in *Vaſſallage*, or inveſted other commanders in them. So the Cities of *Romania* began to have particular *Lords*, by the name, for the moſt part, of *Vicars* of the *Church*. Thus *Ferrara*, firſt given by the Pope to *Azo de Eſti* to be governed by him, was afterwards granted to him under the title of *Vicarſhip*. This family was in proceſſe of time exalted to more illuſtrious honors.

Bolonia being thus poſſeſſed by *Iohn Viſconte* Arch-biſhop of *Milan*, was after given him by the Pope as a *Vicarſhip* of *Rome*. Vpon the ſame occaſions there aroſe many particular *Lords* in many places of the *Marquiſat* of *Anconia*, of the *Patrimony of Saint Peter*, and of *Vmbria*, now call'd the *Dukedome* of *Spoleto*: all which was done either againſt the Pope his will, or by his forced conſent. The ſame variations being alſo in *Lombardy*, amongſt the Cities of the Empire, it ſometimes fell out that the *Vicars* of *Romania*, and of other Eccleſiaſtical territoies, withdrawing themſelves openly from the *Church*, acknowledged to hold thoſe Cities in *Vaſſalage* from the Emperours, and thoſe who poſſeſſed *Milan*, *Mantua*, and other Imperiall places, were contented to hold them from the Biſhops of *Rome*.

In theſe times *Rome*, though ſtill named the *Demaines* of the *Church*, was governed by it ſelfe. When the Popes returned from *Avignion* into *Italy*, for a while they were obeyed as *Lords*: but the *Romans* ſoone after erected the

magiſtracy of the *Bandereſi*, and relapſed into their wonted contumacy. Hereupon the Popes, retaining but ſmall authority, abſented themſelves wholly from thence untill the *Romanes*, being fallen into great poverty and grievous diſorders, by the abſence of the Court, and the yeere 1400. approaching, in which they hoped if the Pope were at *Rome*, there would be a great concourſe of all Chriſtendome, by reaſon of the *Jubely*, they moſt humbly beſought Pope *Boniface* to returne to them, offering to put down the office of the *Bandereſi*, and to yeeld him abſolute obedience. Vpon theſe conditions he returned to *Rome*, and, while the people were intent upon their gaine, made himſelfe abſolute *Lord* of the City, and fortified and put a garriſon in the Caſtle of S. *Angelo*. Thoſe who ſucceeded untill Pope *Eugenius* found many difficulties; but then the ſoveraignty was ſo well eſtabliſhed, that all his ſucceſſors governed the City, even at their owne pleaſure.

Being raiſed by theſe ſteps unto earthly power, they laid aſide by little & little the care of ſouls, and of divine precepts ſo that ſetting their affections wholly upon earthly greatneſſe, and uſing their ſpirituall authority onely as an inſtrument of their temporall, they ſeemed rather to be ſecular Princes then Prieſts. After this their care and buſineſſe was no more ſanctity of life, increaſe of religion, love and charity towards their neighbour, but armies, and warres againſt Chriſtians, handling the ſacrifices, even with bloudy hands; but heaping up of wealth; but new lawes, new arts, new ſnares to ſcrape money from all parts. For this end they uſed their ſpirituall weapons without reſpect, and ſold things both ſacred and profane, without any ſhame at all. The Popes and the Court thus abounding with wealth, there followed pompe, riot, diſhoneſty, luſt, and abominable pleaſures: no care of poſterity, no thought of maintaining the perpetuall dignity of the *Papacy*; but in place hereof ſucceeded ambitious and peſtiferous deſires to exalt their ſonnes, nephewes, and kindred, not onely to immoderate riches, but to Principalities and Kingdomes; beſtowing their dignities and benefices not upon vertuous and well deſerving men, but eyther ſelling them to thoſe who would give moſt, or miſplacing them upon ambitious covetous, and impudently voluptuous perſons.

Having loſt by this meanes that reſpect and reverence which formerly the world did give them, they did notwithſtanding maintain in part their authority by the powerfull name and Majeſty of religion; and ſomewhat they were helped by the faculty which they have in gratifying of great Princes, and thoſe who were potent about them, by beſtowing ſome Eccleſiaſticall favours and dignities upon them. Hence it cometh to paſſe that they are in high reſpect amongſt men; ſo that whoſoever taketh armes againſt them is eſteemed infamous for it, and findeth many oppoſitions by other Princes. Whatſoever hapneth, there is but ſmall gaine to be made by ſtriving with them: For thoſe that conquer them uſe the victory as the Popes will, who being conquered obtaine what conditions they pleaſe. Now becauſe they have a great deſire to raiſe their neereſt kindred from the ſtate of private men to be great Princes, oftentimes they have beene, for very many yeeres laſt paſt, the occaſions and the inſtruments of raiſing new warres and tumults in *Italy*.

But

But to returne to our principall purpoſe, from which my moſt juſt griefe for the publique loſſe hath tranſported me further then the lawes of an hiſtory doe well permit, let us declare that *the Cities of Romania being vexed, &c.*

A part of the hiſtory of FRANCIS GVICCIARDINE *ſtollen out of his tenth Booke.*

SAying, that the great oppreſsion endured by the generous *Romans*, and that thoſe ſpirits which conquered the world ſhould become ſervile, may in part be excuſed in reſpect of former times. Such honor was then given to religion, and religion was ſo graced with miracles, and ſanctified manners, that their anceſters, without any conſtraint of armes or violence, yeelded obedience to the government of Eccleſiaſtiques, and willingly ſubmitted their necks to the ſweet yoke of Chriſtian piety. But now what neceſsity, what vertue, what dignity is there which can cover in any part the infamy and ſhame of this ſervility? Is it integrity of life? holy examples given by theſe Prieſts, or any miracles done by them? what generation is there in the world more corrupt, or more defiled with bruti ſh and debauched manners? It is miraculous that God, the fountaine of Iuſtice, hath ſo long indured ſuch abominable wickedneſſe. Some peradventure may ſay that this tyranny is ſupported by proweſſe of armes, or meets aſsiduous care and induſtry for the preſervation of the Papall greatneſſe. But what generation is there in the world more averſe from the ſtudies of war, or more unwilling to endure the labours belonging to it? more given over to idlenes and pleaſure? more negligent of the honor and profit of their ſucceſſors?

The principality of the *Soldans* of great *Caire* is the moſt like in all the world to this of the Biſhops of *Rome*. For neither the dignity of the *Soldans*, nor the honors of the *Mammalukes* are hereditary, but paſsing from one family to another, doe ſometimes fall upon ſtrangers. But the ſervility of the *Romans* is more baſe then that of theſe *Egyptians* and *Syrians*. For the infamy of theſe is ſomewhat covered in that the *Mammalukes* are warlike and valiant men, accuſtomed to labour, and wholly averſe from pleaſures. But whom doe the *Romanes* ſerve? many idle and ſlothfull perſons, ſtrangers, and ſuch as many times are as baſe for their deſcent as for their manners. It is high time to awake out of this lethargy, and to remember that to be a *Romane* is a moſt glorious name when it is companied with vertue, and that their ſhame is doubled who have forgotten the honor and renowne of their anceſters. They have now a moſt fit opportunity to free themſelves. For when the Pope dieth the Cardinals are diſunited, the *Grandes* are of divers factions, *Italy* is full of armes and tumults, and the Papall tyranny is now become more odious to all Princes then ever it was before.

In a Letter of Monſieur de LANSAC *the French Ambaſſadour, reſident in the Councell of* Trent, *written to the King his Maſter.*

WEe have not as yet propoſed the Articles of *Reformation*, becauſe we well perceive that they will give eare to nothing that may hinder the profit and authority of the Court of *Rome*. Beſides, the Pope is ſo much maſter of this *Councell*, that his *Penſioners*, whatſoever the Emperours Ambaſſadours or we doe remonſtrate unto them, will doe but what they liſt.

In a Letter of Monſieur de PIBRAC, *the French Ambaſſadour in the ſaid Councell, to the* Queene mother.

MY Lords the Legates, together with the *Italian* Biſhops which came from *Rome*, made a kind of Decree, that nothing ſhould be propoſed for the fathers to conſult of, but by the Legats only, or, at the leaſt, nothing but what pleaſed them. This we haue ſeene obſerved even to the ſhutting up of the Councell.

This was done that nothing might be moved in the Councell to diminiſh the Popes greatneſſe

In another place of the ſame Letter.

MAdam, that they may the better keep the power which they have, to be the onely men that may propoſe and put into conſultation what pleaſeth them, they hold it for a matter already determined, that the Ambaſſadours of Princes may not make any remonſtrances in the aſſembly of the Prelats; fearing perhaps that, if they were heard and underſtood by the Fathers, they might yeeld to their demands, eſpecially being reaſonable.

In a Letter of Queene Mother *to* Monſieur de LANSAC.

IF the promiſes which the Legats doe make unto you, and the opinion which I have of their dignity and integrity do compel mee to hope for ſome good from the Councell, on the other ſide that which I have hitherto obſerved concerning their manner of proceeding quite contrary to their words, makes me feare that this whole Councell of ours is nothing but a faire appearance of flowers, without any fruit or amendment at all.

The King of France, *in a Letter to the Lords du* FERRIER *and* PYBRAC, *his Ambaſſadours in the Councell.*

MY Lords, as far as I peceive by your Letters of the eleventh of this moneth, I am quite out of all hope of that which I expected from the Councel, in caſe the Fathers doe proceed to determine of the *Articles wch they have been pleaſed to communicate unto you. This would be to pare the Nayles of Kings, and let their owne grow. &c.

*Theſe were articles for the Reformation of Secular Princes, which the Legates ſet on foot o hinder the propoſing of the Articles for the reformation of the Eccleſiaſtiques.

Fn

In a Letter to the King of France *by the Lords du* Ferrier *and de* Pybrac, *his Ambaſſadors in the* Councell *September* 25. 1563.

OF an hundred and fifty Prelates, which then were preſent in the Councell a whole hundred had* conſpired together, and ſubſcribed (as the ſaid Legats have aſſured us) nor to vote any Article of the ſaid reformation, untill the Articles of Princes were propoſed and given to the Fathers. This hath not onely beene done, but it hath been done more rigorioufly (contrary to all law both divine and humane, then at the firſt. &c.

*A conſpiracy in the Councell to hinder the reformation of the Eccleſiaſtiques.

Andrew Dudithius, *Biſhop of* Five Churches, *in an Epiſtle to* Maximilian 2. *Emperour, in which he delivereth his opinion about the miniſtring of the Cup to the Laity, and the marriage of Prieſts.*

WHat good could be done in that Councell, in which the votes were not weighed but numbred? If goodneſſe of the cauſe, if reaſon had beene the weapons to fight withall, though we were but few, we had vanquiſhed a great army of our enemies. But ſeeing that number only came into the field, in wch we were far inferiour to them, though our cauſe were good, we could not poſſibly prevail. The Pope had an hundred for one: & in caſe thoſe had not been enough, he could have created a thouſand more to have helped at a need. We daily ſaw hungry & needy Biſhops come to *Trent*, youths for the moſt part, wch did but begin to have beards, given over to luxury and riot, hired onely to give their voice as the Pope pleaſed. They were both unlearned and ſimple, yet fit for the purpoſe in regard of their impudent boldneſſe. When theſe were added to the Popes old flatterers, iniquity triumphed, and it was impoſſible to determine of any thing but as they pleaſed, who thought it to be the higheſt point of their religion to maintaine the authority and luxury of the Pope. There was a grave and learned man, who was not able to endure ſo great an indignity: he was preſently traduced as being no good Catholique, and was terrified threatned and perſecuted, that he might approve things againſt his will. In ſum, matters were brought to that paſſe, by the iniquity of thoſe who came thither fitted & prepared, that the Councel ſeemed to conſiſt not of Biſhops, but of diſguiſed maskers, not of men, but of images, ſuch as *Dedalus* made, that moved by nerves which were none of their own. They were hireling Biſhops, who, as Country bagpipes, could not ſpeak but as breath was put into them. The *holy Ghoſt* had nothing to do in this Aſſembly: all the counſels given there proceeded from humane policie, and tended only to maintaine the Popes immoderate & ſhameful domination. Anſwieres were expected from thence, as from the oracles of *Delphos* & *Dodona*: the *holy Spirit* which

which, as they boaſt, doth governe their *Councels*, was ſent from thence in a poſtilions cloak-bag; which in caſe of any inundations, could not come thither (a thing moſt ridiculous) untill the waters were aſſwaged. So it came to paſſe that the *Spirit* was not upon the waters, as it is in *Geneſis*, but by the waters ſide. O monſtrous extraordinary madneſſe! Nothing could be ratified which the Biſhops (as if they had been the common people) did Decree, unleſſe the Pope made himſelfe the author of it.

An Epiſtle written by IOHN IEWELL, *Biſhop of* Sarum, *unto one* Seignior SCIPIO, *a Gentleman in* Venice, *in anſwere of an expoſtulatory letter of his concerning the Councell of* Trent.

1 SIr, according to that intimate acquaintance, which hath been between us, ever ſince we lived together at *Padua*, (you being imployed in the affaires of your Common-weal, I in my ſtudies) you write unto me familiarly, that your ſelfe, and many others there with you, wonder, that ſince a *Generall Councel* at *Trent* hath been ſummoned by the Pope, for the ſetling of religion, & removing of *Controverſies*; and ſeeing already all other *Nations* from all parts are there aſſembled; The Realme of *England* alone, hath neither ſent any *Ambaſſadors* thither; nor by any meſſage or letter excuſed their abſence, but without any *Councel*, hath altered almoſt all the forme of the old ancient religion; the former whereof, as you ſay, argues a proud ſtubbornneſſe, the other a pernicious Schiſme. for it is a Superlative crime, for any man to decline the moſt *Sacred Authority* of the Pope of *Rome*; or, being called by him to a Councell, to withdraw himſelfe. As for the *Controverſies* about religion, that it is not lawfull to debate them otherwhere then in ſuch *Aſſemblies*; For there be the *Patriarches* and *Biſhops*: There be the learnedſt men of all ſorts; from their mouthes the *truth* muſt be required: There be the lights of each *Church*: There is the *Holy Ghoſt*: That all godly Princes, if any doubt had riſen concerning *Gods* worſhip, ſtill referred it to a publike conſultation: That *Moſes*, *Ioſhua*, *Dauid*, *Ezechias*, *Ioſias*, and other *Iudges*, *Kings*, *Prieſts*, did not adviſe, concerning matters of *Religion*, elſewhere then in an aſſembly of Biſhops: That *Chriſt's Apoſtles* and the *Holy Fathers* held *Councels*. That by this means the *Truth* diſplayed her beames: *Hereſies* were ſubdued: ſo was *Arrius* vanquiſhed, ſo *Eunomius*, ſo *Futiches*, ſo *Macedonius*, ſo *Pelagius*; And that by the ſame meanes the preſent diſtractions of the world may be compoſed, and the breaches of the Church made up againe, if contentions and factions laid aſide, we would come to a Councel; without which nothing can lawfully be attempted in Religion.

2 This in effect was the ſumme of your Letter. I doe not now take upon me to anſwer you in the behalfe of the *Realme* of *England*, by what advice every thing hath beene done; neither doe I thinke that you expect it from me, or deſire it. The Councels of *Kings* are hidden and ſecret, and ſo ought to be. You know the old ſaying, *nor every where, nor to all, nor to all ſorts of people.*

people. Yet for our old and intimate acquaintance (becauſe I ſee you deſire it ſo earneſtly) I will briefly and friendly ſhew you what I thinke, but, as he ſaies, *as farre as I know, and am able*; and I doubt not but that will ſatisfie you.

We wonder, ſay you, that no Ambaſſadours from *England* come to the *Councell*. I pray you Sir, do *Engliſhmen* only not come to this *Councell*? Were 3
you your ſelfe preſent at the *Councell*? Did you take a muſter of them? Did you count them by the Poll? Did you ſee that all other nations were met from all parts, except only the *Engliſh*? If you have ſuch a mind to wonder, why do not you wonder at this too? that neither the three memorable *Patriarches*, of *Conſtantinople*, *Antioch*, and *Alexandria*, nor *Preſbiter Iohn*, nor the *Grecians*, *Armenians*, *Perſians*, *Egyptians*, *Mores*, *Æthiopians*, or *Indians* come to the *Councell*. For do not many of theſe people beleeve in CHRIST? Have they not *Biſhops*? Are they not baptized in the Name of CHRIST? Be they not *Chriſtians* and ſo called? Or did there come *Ambaſſadors* from all theſe nations to the *Councell*? Or will you rather ſay that the *Pope* did not call them, or that your Eccleſiaſticall Decrees take no hold of them?

But we wonder more at this, that the *Pope* would afterwards call ſuch 4
men to a *Councel*, whom before hand he had condemned for *Hereticks*, and openly pronounced them excommunicate, without hearing either them or their plea. For that men ſhould be firſt condemned and puniſhed, and afterwards brought to their triall, is abſurd, and, as we ſay, *The Cart before the horſe*. But I would faine be reſolved of this, whether the *Popes* meaning be, to adviſe in the *Councell* concerning Religion with us, whom he accounts *Heretiques*? or rather that we ſhould plead our cauſe at the Barre, and either change our opinion preſently, or out of hand be condemned againe. The former is without example, and denied heretofore by *Iulius* the third, to thoſe of our ſide; The other is ridiculous; if he thinke ſo; that the Engliſh will come to the *Councel*, only to be indited, and to plead for themſelves, eſpecially before him, who long ſince is charged with moſt heynous crimes, not only by our ſide, but alſo by their owne.

Now if *England* only ſeeme to you thus ſtubborne, where then be the 5
Ambaſſadours of the *King* of *Denmark*, of the *Princes* of *Germany*, of the *King* of *Sueden*, of the *Suitzers*, of the *Griſons*, of the *Hanſe Townes*, of the Realme of *Scotland*, of the Dukedome of *Pruſſia*? Seeing ſo many *Chriſtian Nations* are wanting in your *Councel*, it is abſurd to miſſe in your reckoning only the *Engliſh*. But why doe I ſpeake of theſe? the *Pope* himſelfe comes not to his own *Councel*; and why do you not wonder at that alſo? For what a pride is this, for one man for his owne pleaſure, to aſſemble together all *Chriſtian Kings*, *Princes*, and *Biſhops*, when he liſteth, and to require them to be at his call, and himſelfe not to come in their preſence. Surely when the *Apoſtles* ſummoned aſſemblies at *Ieruſalem*, *Peter* the *Apoſtle*, of whoſe *Sea*, and *Succeſſion* they brag, would not be abſent. But as I conceive, *Pius* the fourth, the preſent *Pope*, remembreth what hapned heretofore to *Iohn* the 22; that he came not in a very happy houre to the *Councell* of *Conſtance*: for he came *Pope*, but returned *Cardinal*. Therefore, ſince then, the *Popes* have provided for themſelves in the rere, and kept home, and have withſtood all *Councels*,

and

and free diſputes. For above fourty yeeres ſince, when Doctor *Martin Luther* was curſed by the *Pope* with *Bell, Book,* & *Candle*, becauſe he had begun to preach the *Goſpell*, and to reforme Religion out of GOD's word, and had humbly requeſted, that his whole cauſe might be referred to the cogniſance of a *Generall Councell*, he could have no audience. For *Pope Leo* the tenth did ſee well enough, if the matter ſhould come to a *Councell*, that his own ſtate might come in danger, and that he might perchance heare what he would not willingly.

6 Indeed the name of a *Generall Councell* caries a faire ſhew, ſo it be aſſembled as it ought, and (affections layd aſide) all things be referred to the rule of *Gods* word, and the truth only aymed at. But if Religion and godlineſſe be openly beaten downe, if tyranny and ambition be eſtabliſhed, if men ſtudy faction, gluttony, luſt, there is nothing more pernicious for the *Church* of *God*. All this I have ſpoken hitherto, as if this *Councel* which you call ſo did ſubſiſt ſomewhere, and were indeed a *Councel* which I thinke abſolutely to be none. Or if it be one, and ſubſiſt any where, ſure it is an obſcure one, and kept very cloſe. For though we are not very farre off, yet we can by no means learne, what is done there, what Biſhops have met, or rather indeed whether any at all are met. Nay beſides, above twenty months ſince, when this *Councell* was firſt ſummoned by *Pope Pius*, the *Emperour Ferdinand* anſwered that though all other matters were accomodated, yet he did much diſlike the *Place*, which the *Pope* had made choice of for himſelfe. For *Trent*, though a prety City, yet was neither commodiouſly enough ſeated for the receipt of ſo many *Nations*, nor able to receive ſo great a multitude of men, as were likely in reaſon to meet at a *Generall Councell*. The ſame anſwere was returned from other *Chriſtian Princes*; and from ſome, much ſharper. Therefore we beleeved that all theſe things, together with the Councell it ſelfe, had beene vaniſhed away into ſmoake.

7 But I pray you, who is he that hath ſummoned this *Councell*, and called the world together? You will ſay, *Pope Pius* the fourth. And why he, rather then the *Biſhop* of *Toledo*? For by what power, by what example of the *Primitive Church*, by what right doth he this? Did *Peter, Linus, Cletus, Clemens* thus toſſe and tumble the world with their Proclamations? This was alwayes whilſt the *Empire* flouriſhed, the proper right of the *Emperours* of *Rome*. But now, ſince the power of the *Empire* is leſſned, and *Kingdomes* by ſucceſsion ſhare part of the *Imperiall power*, that power is communicated to *Chriſtian Kings* and *Princes*. Search the Annals, lay together the memorials of all Antiquity, you ſhall find the ancienteſt *Councels*, the *Nicene*, the *Epheſine*, that of *Chalcedon*, that of *Conſtantinople*, to have been called by the *Roman Emperours, Conſtantine, Theodoſius* the firſt, *Theodoſius* the ſecond, *Martin*, not by the *Popes* of *Rome*.

8 *Leo* the *Pope*, a man otherwiſe loving enough to himſelfe, and no way neglectfull of the authority of his *Sea*, did hũbly beſeech *Mauritius* the *Emperour*, that he would ſummon a *Councel* to be held in *Italy*, as being the fitteſt place. *All the Prieſts* ſayes he, *beſeech your Clemency, that you would command a Generall Councell to be held within Italy*. But the *Emperor* cauſed that *Councel* to be aſſembled, not in *Italy*, which the *Pope* earneſtly laboured, but at *Chalcedon*

cedon, in *Bithynia*; to ſhew, that that was his right, and belonged to him onely. And when *Ruffinus*, in that bickering which he had with *Jerome*, had alleadged a certain *Synod*, *Tell me*, ſayes *Jerome*, *what Emperor cauſed it to be called.* *Jerome* did not thinke the authority of a *Generall Councel* firme enough, unleſſe an *Emperour* had called it. I demand not now, what *Emperor* hath commanded the Biſhops to be called to *Trent* at this preſent: But with what *Emperour* did the *Pope*, that hath taken thus much to himſelfe, adviſe of holding the *Councell*, what *Chriſtian King* or *Prince* did he make privy to his deſigne? To intrude upon anothers right by fraude or force, and to uſurpe for his owne, what belongs to others, is injurious dealing. But to abuſe the *Clemency* of *Princes*, and to rule over them as his vaſſails, is an egregious and an intollerable diſgrace to them. But for us, by our complying, to go about to backe ſuch an injury, and diſgrace, were no leſſe injury. Wherefore if we ſhould only ſay thus much, that this *Trent Councell* of yours is not lawfully called, that *Pope Pius* hath done nothing rightly or orderly, no man could juſtly finde fault with our abſence.

I paſſe over the wrongs, which the *Popes* of *Rome* have done us: That they have as often as they pleaſed, armed our *People* againſt their *Soveraigne*: That they have pull'd the *Scepters* out of our *Kings* hands, and the *Crownes* from off their heads: That they would have the *Kingdome* of *England* to be theirs, and held in their name, and our *Kings* to Reigne by their favour: That within theſe later yeeres, they have ſtirred up againſt us, ſometimes the *French*, ſometimes the *Emperour*. What the intentions of *Pius* himſelfe have beene towards us, what he hath done, what he hath ſpoken, what he hath practiſed, what he hath threatned, 'tis needleſſe to rehearſe: For his actions and his words are not ſo cloſe, ſo concealed, but that the aime of both may be diſcovered. By what courſes he was made *Pope*, and by what ſteps he mounted to ſo great a dignity, I ſay nothing. I doe not ſay, that he aſpired to the *Popedome* by corrupting of *Cardinals*, buying of voices by price and purchaſe, by underminings, and ambuſhes. I do not ſay that lately, being not able to quitt ſkores, he caſt *Cardinall Caraffa* into priſon, and there murthered him, by whoſe aſſiſtance he had compaſſed the reſt of the *Cardinals voyces*, to whom for that ſervice he owed a great ſum of monie. Theſe, and divers other things, I leave to you, who both behold them at a neerer diſtance, and better underſtand them. And can you wonder then, that we come not to a man of Bloud, one that purchaſes voices, that denies to pay his debts, to a *Simoniacal* perſon, to an *Heretique*? Beleeve me, it is not the part of a wiſe man wilfully to run into a place infected, and to conſult of Religion with the enemies of Religion. *My mother*, ſaies one, *forbade me the company of infamous perſons. John* the *Apoſtle* durſt not ſit in the ſame Bath, nor waſh with *Olympius*, leſt he ſhould be ſtruck from heaven with the ſame thunder. I have not ſate, ſaith *David*, in the aſſembly of Vanitie, neither will I walke in the workers of iniquity. 9

But admit that this is the Popes proper right; let it be in his power to call *Councels*, to governe the whole world: let thoſe things bee falſe and vaine, whatſoever we have ſpoken concerning the power of the *Emperour*, and the right of *Kings*: Grant that *Pope Pius* is an honeſt man; that 10

he was duly & lawfully made *Pope*; that he ſought no mans life, that he did not kill *Caraffa* in priſon: yet it is fit that *Councels* ſhould be free, that every man may be preſent that will, and thoſe, with whoſe convenience it ſtands not, may be abſent. And ſuch was anciently the equitie and moderation of thoſe better men. The *Princes* were not then called together in ſuch a ſlaviſh manner, that if any one of them had ſtaied at home, or had not ſent *Ambaſſadours* to the *Councell*, preſently every eye was upon him, every finger pointing at him. In the *Nicen Councell*, in the *Epheſine*, in that of *Conſtantinople*, what ſpie obſerved who were abſent? But there was never an *Ambaſſadour* then, neither from *England*, nor *Scotland*, nor *Poland*, nor *Spaine*, nor out of the two *Pannonia's*, nor out of *Denmarke*, nor out of all *Germany*. See, read, reexamine the *Subſcriptions*, you ſhall finde it ſo, as I ſay. And why doe not you marvaile then, that the *Engliſh* came not to thoſe *Councels*, being ſo full, ſo famous, ſo renowned, ſo frequented? Or that the Popes in thoſe times were ſo patient, as not to condemne them of contumacie? But this tyranny of the Popes was not yet growen up; it was lawfull then for *holy Biſhops and Fathers*, as it ſtood with their convenience, to ſtay at home without prejudice. The *Apoſtle Paul* would not put himſelfe upon the *Councel* at *Jeruſalem*, but rather appeal'd to *Cæſar*. *Athanaſius* the *Biſhop*, though the *Emperour* ſummoned him to the *Councel* at *Ceſarea*, yet he would not come. The ſame man, in the *Syrmian Councel*, when he ſaw that the *Arrians* were like to prevail, preſently withdrew himſelfe, and went his waies: and the *Weſterne Biſhops* following his example, refuſed to come to that *Councel*. *John Chryſoſtome* came not to the *Arrian Councel*, though the *Emperour Conſtantius* called him, both by letter, and alſo by meſſage. At what time the *Arrian Biſhops* aſſembled in *Paleſtine*, and drew with them the votes of the major part, old *Paphnutius* and *Maximus Biſhop of Jeruſalem*, went out together out of the middeſt of their aſſembly. *Biſhop Cyrill* appealed from the *Councel* of the *Patropaſſians*. *Paulinus Biſhop* of *Triers* would not come to the *Councel* of *Millan*, becauſe that he ſaw, that by the favour and power of the *Emperour Conſtantius*, all ranne of *Auxentius* the *Arrians* ſide. The *Biſhops* that had met in a *Councel* at *Conſtantinople*, being called to a *Councel* at *Rome*, refuſed to come. Which notwithſtanding turned not to their prejudice, though they were called by the *Emperours* letters. In thoſe dayes the excuſe ſeemed reaſonable enough, that they were to intend the charge and reformation of their owne *Churches*. Though they ſaw that the *Arrians* did play reakes in all *Churches*, and that their preſence would have been of great importance for the abating of their rage.

11 What if our *Biſhops* ſhould now give the ſame anſwere, that they can ſpare no time from their ſacred function; that they are wholly imployed in ſetting up againe their owne *Churches*; that they cannot be abſent, five, ſix, ſeaven yeeres, eſpecially there, where they ſhould be able to doe no good. For our *Biſhops* are not ſo idle, as thoſe at *Rome* that frolick it in their palaces, and daunce attendance upon the *Cardinals*, and hunt after livings. Our *Churches* are ſo miſerably waſted and ruined by them, that they cannot be repaired in a ſmall time, or with ordinary diligence. But now wee ſee plainely that theſe men ſeek to incroach upon our times, that without any neceſſi-

neceſſity we might be drawen abroad and ſo diſabled to advance the *Goſpell* at home, and in the *Councell* be hindred by them.

For the Pope, that you may not be miſtaken, doth but make a ſhew of 12
a Councell, and meanes it not, for thinke not that he doth any thing ſincerely or truely. *Lewis* the eleventh was wont to ſay to *Charles* the eighth, that He *that knowes not how to make ſhewes of what he meanes not, kens not Kings-craft*: But, as the times goe now, he that knowes not how to make no ſhew of what hee meanes, and to cloake his deſignes under a diſguiſed countenance, is much more ignorant how to play the Pope. For that *Sea* is wholly ſupported with meere hypocriſie, which the leſſe naturall ſtrength it hath, ſo much the more colour it needs. For if the Popes thought a *Generall* Councell ſo effectuall for removing of *Schiſmes*, why did they differre a thing ſo neceſſary thus long? Why did they ſit quiet thirty yeeres together, and ſuffered *Luthers Doctrine* to take root? Why did they not call a Councell, with the firſt? Why did they aſſemble the *Trent* Councel with ſuch reluctancy and unwillingneſſe, more by the inſtigation of the *Emperour Charles*, then of their owne accord? And having beene at *Trent* well nigh tenne yeares, with all this deliberation why have they done juſt nothing? Why have they left the matter undone? Who hindred, who withſtood them? Beleeve me in this, *Good Brother*, the Popes are not in hand now to keep a ſolemne Councell, or to reſtore religion, which they make a mocke of. That which they intend, and ſeeke, and labour for, is to delude the mindes of godly men, and the whole world with a pompous expectation of a *Generall* Councell.

They ſee that their wealth hath beene leſſening now a pretty while, 13
and declining: That their tricks doe not find the ſame credit now, as heretofore: That an incredible number of men every day fall from them: That men doe not now runne to *Rome* in ſuch troops: That there is not now a dayes ſo high an eſtimation, or ſo dear a price given for *indulgences, interdicts, bleſſings, abſolutions, and empty Bulls*: That their *Mart* of *Ceremonies* and *Maſſes* and all their whoriſh paintings are ſlighted: that a great part of their tyranny and pompe is ſhrunke: That their revenewes are ſlenderer then they were wont to be: That they and theirs are laughed at every where, even by very children: That their whole reſt lies now at ſtake. And indeed it is no wonder if theſe things fall, which had no roots to hold them. Our *Saviour* JESVS CHRIST extinguiſhed all thoſe things, not by armes or force of men, but by the heavenly blaſt & breath of his mouth; but wil conſume and aboliſh them with the brightneſſe of his comming. This is the force of *Gods Word*; this is the power of the *Goſpell*; theſe be the weapons, by which is overthrown every fortification, which is raiſed againſt the knowledge of *God*. This doctrine ſhall be preached through the whole world in deſpight of them all: the gates of *Hell* ſhall not prevaile againſt it. The merit-mongers ſhops waxe cold now at *Rome*; their wares, as if *Porſenna's* goods were put to ſale, are very low pric'd, and yet can ſcarce finde a chapman. The indulgence-broker trots up and downe, and finds no fools. This it is, Hence growes their griefe; This vexes the Popes. They ſee that

this ſo great light broke forth from one ſparke: What is it like to do now, when ſo many fires are kindled in all places of the world? And ſo many *Chriſtian Kings* and *Princes* acknowledge and profeſſe the Goſpell? For they ſerve not CHRIST JESUS, but their *Bellies*. They ſay that *Carneades* the Philoſopher, when he was at *Rome* and made that memorable ſpeech againſt *Juſtice*; amongſt other things he added this, that this vertue, if it were one, would be leſſe profitable to no kinde of men, then to the *Romans*: For they by force and robbery had ſubdued other mens dominions to themſelves, and had compaſſed the *Empire* of the *World* by high injuſtice. Now if they would at length obſerve Juſtice, they muſt reſtore all thoſe things, which they poſſeſſe unjuſtly: They muſt returne to their ſhepheards houſes, and their cold Cottages, which was all they had in the beginning. So verily theſe men, if they would deale plainely, and lay aſide their diſguiſes, and doe their duty, and render every one his owne, they ſee they muſt come to their ſtaffe and ſcrip againe, to ſobriety and modeſtie, to the labours and function of the Goſpell. For they have heard *Auſtin* ſay, that, The name of a Biſhop, is a name of worke, not of worſhip; and, That they are no Biſhops that would have the preeminence above others, but not benefit them. And therefore they ſee, that it is leſſe expedient for themſelves, then for any ſort of men, to have the Goſpell ſpread wider, and further propagated: for they cannot be ſafe, if they will be ſound. Therefore now they raiſe tumults, and puzzell all, as *Demetrius* the Smith did of old, when he ſaw that his hopes of gaine were cut. Now therefore Councels are ſummoned, the *Abbats* and *Biſhops* are called to make a partie. For this they thought the cunningeſt plot, to ſpinne out the time for ſome yeeres, to hold mens mindes in ſuſpence with expectation: many things, as it uſeth, might fall out in the meane time: Some *Warre* might be raiſed: One of theſe *Princes* might die: that this ſo ſharpe edge of theirs for the Goſpel, might in proceſſe of time be dulled: mens mindes might waxe coole: In the meane while, as one ſayes, ſomewhat will be done I hope.

14 Long ſince, the *Perſians* having beene vanquiſhed and led in triumph, when as the *Athenians* had begun to repair their walls, which the *Perſians* had laid levell with the ground; and the *Lacedemonians* had ſtraitly interdicted them, to the end that they might keep them the eaſier under their check: *Themiſtocles* the Athenian General, a wiſe man, ſeeing the ſafety of his Countrey might be hazzarded, promiſed that he would come to *Lacedemon* to confer with them about it. So, being upon the way, to ſpend time, he faigns himſelfe ſicke, that he might dwell the longer upon his journey. At length, being come to *Lacedemon*, he began to make many cavills on ſet purpoſe: Sometimes the covenants did not pleaſe him: Sometimes he demands time to adviſe: Sometimes he muſt wait for his fellow *Ambaſſadours*, without whom nothing could be done: otherwiſe he muſt ſend *Ambaſſadors* to *Athens*. In the meane time, whileſt he trifles, the *Athenians* had walled their City round; and, if any force were offered, were provided of a defence. So theſe men, whileſt they put off from day to day, and wil have all referred to Councel; in the mean while they build up their wals, whilſt we ſit idle, looking

looking after we know not what; that at the laſt, when they have made all ſafe, they may ſhut us out wholly, and neither Councell may be held, nor any thing at all done.

For it is worth the paines to obſerve their trickes, and fetches; How often Councels have been ſummoned, and not met! How often a poor rumor hath daſhed all their preparations, and all the expectation! How often have the Fathers made a ſtand upon the ſudden in the middeſt of their journey! How often have the ſcarlet *Counſailers*, ſlipped home in the middeſt of the Councel, having done juſt nothing; and have rejourned the next Seſſion till the ninth or tenth yeer following! How often have they quarrelled with the aire, the victuals, the place, the time! For the Pope only aſſembles the Councels, and he alone diſmiſſeth them when he liſts. If any thing pleaſe him not, or the buſineſſe begin to go awry, preſently the ſolemne cloſe of the Playes is heard, *Valete, & Plaudite*, Farewell, and clap your hands. A Councell is warn'd at *Baſil:* They meet from all parts in great numbers: They fall earneſtly upon many matters: *Eugenius* the Pope is caſt by all the voyces, as a *Simoniacal* and *Schiſmaticall Perſon*: *Amideus* Duke of *Savoy* is put in his place: *Eugenius*, as he was to doe, takes this indignely, thinks with himſelfe, that this might be a dangerous preſident for poſterity: That his power and ſtrength was far above all Councels: That a Councell could not meet but by his command: nor determine of any thing, but what he pleaſed: That it was an ungodly act, to inquire into his life in a *Conventicle* of *Biſhops*: Preſently he cals backe the Councell to *Ferrara* in *Italy*; afterwards traſlates it to *Florence*. Why what doings is this, I pray? Did *Eugenius* think the climate would alter mens mindes, or that the *Holy Ghoſt* would give diſcreeter anſwers in *Italy*, then he had formerly in *Germany*? Nay, nay, in all thoſe changes he ſought not after Chriſt, but his owne benefit. He ſaw that his enemy *Sigiſmond* the Emperour, did overtop him in *Germany*, both in power, and in fauour; And that thoſe Fathers which had met at *Baſil*, if they were remooved out of theſe harſh and rough Countries into *Italy*, they might (as trees when they are tranſplanted) be made more mellow. For now adaies (mercifull God!) the intent or ſcope of Councels, is not to diſcover the truth, or to confute falſhood. For theſe later ages, this hath been the onely indeavour of the Popes, to eſtabliſh the *Romane Tyranny*; to ſet Wars on foote; to ſet *Chriſtian Princes* together by the eares; to raiſe monie, ſometimes for the *Holy Land*, ſometimes for the building of *Saint Peters Church*, ſometimes for other uſes, I know not what, or rather abuſes; all which monie was to be caſt into ſome fewe bellies, in gluttony, and luſt. And this hath beene the onely cauſe or courſe of Councels for ſome ages laſt paſt. For of errours and abuſes, as if there were none at all, nothing ever could be handled. 15

Peter de Alliaco made great complaint in the Councel of *Conſtance*, concerning the covetouſneſſe and pride of the *Court of Rome*, but what good did he? Was there any part of their controverſie or pride reſtrained by the authority of the Councell? The ſame man ſayes, that Holy daies, and the flocks of idle Monkes ought in his opinion to be leſſened: And another (in a certaine worke intituled, *Tripartite*, and joyned to the *Lateran* Councel) the whole world almoſt, ſayes he, ſpeakes againſt it, and is ſcandalized at the infi- 16

infinite multitude of beggerly Friars. And the Fathers in the *Councell* of *Lateran*, we ſtrictly commaund, ſay they, that for the future no man invent a new religious order. Since that time what hath been done for Holy daies. I know not: it is probable, that no abatement is made. But for the *Orders* of *Monkes*, they are infinitely multiplied. For the laſt *Popes* have added *Jeſuites*, *Capuchins* and *Theatines*; as if there had not beene yet enough of theſe ſlow-bellies. *John Perſon*, Chancellour of *Paris*, exhibited in the *Councell* of *Conſtance*, ſeventy five abuſes in the Church of *Rome*, which he did earneſtly deſire might be reformed. But of ſo great a number, what one abuſe did they take away? *John Gicus Mirandula* writes to Pope *Leo*, to abridge idle ceremonies, and to reſtrain the luxury of *Prieſts*. The *Biſhops* afterwards, in the *Lateran Councel* ſate in great numbers, and moved much expectation. But what one ceremonie did they abate? what one *Prieſts* luxury or lewdneſſe did they condemne. *Mantuan* the Poet complaines by name of the manners of the *Church* of *Rome*. *Bernard* the *Abbot* writes thus to Pope *Eugenius*: your Court receives good men, but makes them not: lewd men thrive there, the good pine and fall away. And ſpeaking of the woefull ſtate of the *Church* in thoſe dayes, From the ſole of the foot ſaith he, to the crowne of the head, there is no health in her. And againe ſayes he, where is there one to preach the acceptable yeere of the Lord? Now a daies, ſaith he, they keepe not *Chriſts* ſpouſe, but deſtroy her; They feed not the Lords flocke but ſlaughter and devoure it. Pope *Adrian* the ſixth, when he ſent his *Legat* into *Germany*, confeſſed truly and ingenuouſly, that the ſtate of the whole *Clergie* was moſt corrupt. All we *Prelates*, ſaies he, have ſwerved every one to his owne way, neither is there now any one that doeth good, no not one. *Albertus Pighius* confeſſes, that in the *Maſſe* it ſelfe, (which they would have to be moſt ſacred, and in which alone they place the main of *Chriſtian Religion*) are found errors & abuſes. What needs more? I paſſe over other witneſſes, for they are infinite. There were many *Councels* held after this; the *Biſhops* were called together; the *Synode* of *Baſil* was ſummoned, as they then made ſhew, expreſly for the reformation of the whole *Clergie*. But ſince that time, the errors have beene increaſed in all places; nay the vices of the *Prieſts* themſelves doubled.

17 The *Cardinals* choſen by Pope *Paul* the third, to conſider of the *State* of of the *Church*, made report, that there were many corruptions in it, eſpecially in the manners of the *Biſhops* and *Clergie* men. That the *Biſhops* were idle; did not inſtruct the people, nor feed the flocke, nor looke to the *Lords* vineyard: that they lived in Princes *Courts*, and kept not home: That the *Cardinals* had ſometimes three, ſometimes foure *Biſhopricks* in *Commendam*, not without great prejudice to the *Church*: for that thoſe offices are not, as they ſay, compatible, or to be held together. That the *Covents* ought to be cleane baniſhed out of the *Church*. Since this, the *Trent Councell* hath beene held: But have the *Biſhops* ſince then begunne to feed the flocke? Have they left their nonreſidence, and living in Princes *Courts*? Have the *Cardinalls* left to be *Biſhops*? Or is it provided, that the *Church* ſuſtaine no prejudice thereby? Hath the number of *Covents* beene abridged, or religion amongſt them reformed? What need then was there of calling together ſo many

Biſhops

Biſhops ſo farre off, or to adviſe ſo many yeeres in vaine of reforming the Church? This is juſt the Phariſees going about to repaire *Gods Church.*

They confeſſe errors and abuſes: they call Councells, and pretend a zeal of Religion and Godlineſſe: they promiſe their paines and endeavors, that that they will joyne with us, to build up againe, whatſoever is fallen down. Juſt ſo, as the enemies of *Gods people* ſaid they would joyne with *Nehemias* to build the *Lords Temple.* For they did not intend the building of the *Lords Temple*, but by all poſſible means to hinder it. They will be reconciled to us, but ſo as *Naas* the Tyrant would go along with the *Jews* of *Jabes* upon no other Conditions, but that we muſt ſuffer our right eyes to be plucked out; that is, that we ſhould ſuffer our ſelves to be bereaved of *Gods Word*, and the Goſpel of our ſalvation. 18

For have they any care of Religion? Care they for *Gods Church*, that care neither for Gods vengeance, nor the ſalvation of the people, nor any part of their own duty? Let *Pan*, ſay they, look to his ſheep; they in the meane time, manage Warrs, Hunt, fare deliciouſly; to ſay no worſe of them, Immortall God! who would beleeve that theſe men ever think of *Gods Church* or *Religion?* What errors will theſe men ever take away or when? What light will they reſtore unto us? Whatſoever you ſay, though you carried the Sunne it ſelfe in your hands, yet they will not ſee. Open errors they excuſe as far as they are able, and colour and ſmooth them, as anciently *Symmachus* or *Porphyrie* did the errors and fopperies of the *Heathen*: And indeed they are wholly ſet upon this, not to ſeeme to have led *Gods people* aſtray, or at any time to have erred themſelves. Or if it come in their heads to amend any thing, which either they never doe, or very ſeldome and ſparingly (as it is reported of *Alexander* an *Emperour* of *Rome*, that being not altogether averſe from *Chriſtian Religion*, he worſhipped *Chriſt* and *Orpheus* in the ſame Chappell: and as in times paſt the ancient *Samaritans* did retaine the worſhip of the true *God*, and *Idols* both together.) So they will receive perchance ſome part of the *Goſpell* upon this condition, that therewith they may admit of ſuperſtitions, and old wifes tales: they receive truth, ſo that they may retaine falſhood: they allow of ours, ſo that they may not diſallow their owne: And ſo they doe not take away but colour abuſes and only new plaiſter old Pillars. 19

In this manner doe they reforme *Gods Church*; ſo be the *Councell* and *Synodes* kept: Truth is not followed, but mens affections: The better part is maſtred by the greater. Indeed the very name of a *Generall Councel* carries a glorious luſtre: But yet oftentimes poiſon is powſed out of a faire cup. For it is not enough for a few *Biſhops* and *Abbots* to have met in one place; The virtue of a *Councel* conſiſts not in *Rochetts*, and *Skarlets*; neither is every *Decree* of a *Councel* preſently to be received for an *Oracle.* That was a *Councell* of which the *Prophet* * *Eſay* writes. 20 *Chap. 30. 1.

That was a *Councel* of which the *Prophet David* ſpeaks, The Kings of the earth ſet themſelves, & the Rulers take counſel together againſt the Lord and againſt his anointed. That was a *Councell* which condemned the *Sonne of God Chriſt Jeſus* to the Croſſe. That was a *Councel* wch was held at *Carthage* under *Cyprian*; in which it was Decreed that thoſe, who had been baptized 2

by

by *Hereticks*, when they returned to the *Church*, ought to be baptized again. Which errour could not be afterwards repealed by ſo many *Councels* and writings of the Fathers. What needes many words? The *Second Epheſine Councell* openly took *Eutyches* his part, that the humane nature in *Chriſt* was turned into his divinitie. The ſecond *Nicene Councell* decreed ſtarr Idolatrie about adoration of Images. The Councel of *Baſil*, as *Albertus Pighius* ſaies, decreed againſt all antiquity, againſt nature, againſt reaſon, againſt the word of *God*. The Councell of *Ariminum* decreed for the *Arrians* moſt impiouſly, that *Chriſt* was not *God*. Many other enſuing Councels, that of *Smyrna*, the *Arrian*, the *Seleucian*, the *Syrmian* did both condemne the *Homouſians*, and alſo ſubſcribe to the impietie of the Councell of *Ariminum*. What would you have more? The Councell of *Chalcedon* it ſelfe, which was one of thoſe foure that *Gregory* compares to the foure Goſpells, Pope *Leo* did not ſticke to challenge it of unadviſedneſſe.

21 Therefore we ſee *Councels* have been often oppoſite one to another: And as *Leo* the *Pope* abrogated the Acts of *Adrian*, *Stephanus* of *Formoſus*, *John* of *Stephanus*; And as *Sabinian* the *Pope* commanded all *Pope Gregories* writings to be burnt, as erronious and impious: So we ſee oftentimes that a later *Councell*, hath repealed all the Decrees of a former. The *Carthage Councel* decreed, that the *Biſhop* of *Rome* ſhould not be called either *The High Prieſt*, or *The chiefe of Prieſts*, or by any other the like name. But following *Councels* have ſtiled him, not onely *Chiefe Prieſt*, but alſo *Chiefe Biſhop*, and *Head* of the *Catholique Church*. The *Eliberine Councell* decreed that nothing ſhould be painted on the wals of *Churches*, that ought of right to be worſhipped. The *Councell* of *Conſtantinople* decreed that *Images* were not to be ſuffered in *Chriſtian Churches*. On the other ſide, the ſecond *Nicen Councell* determined, that *Images* were not onely to be placed in *Churches*, but alſo to be worſhipped. The *Lateran* Councell under Pope *Julius* the ſecond, was ſummoned for no other cauſe, but to repeale the Decrees of the *Piſan* Councell. So oftentimes the later Biſhops oppoſe thoſe that went before them, and Councels damme up one another's lights. For theſe men will not be tied, no not to their owne Councels, but as far as they pleaſe, and is commodious for them, & wil bring griſt to their Mill. The *Baſil* Councel determined that a Councel of Biſhops was above the *Pope*. But the *Lateran* Councel under *Leo* decreed, that the Pope was above the Councell. And the Pope does not only bear himſelf ſo, but alſo commands him to be held for an heretike that ſhall think otherwiſe. But yet all the Biſhops and Abbats in the Councel of *Baſil* ſay thus, he that oppoſeth theſe truths is to be accounted an heretike. How wil you behave your ſelf, I beſeech you! Whatſoever you ſay or think, either the Pope or the Councell will eſteeme you an heretique. All Popes, for ſome ages laſt paſt, have oppoſed theſe truths: Therefore all Popes, that lived in theſe ages, have been heretiques, in the judgement of the Councel of *Baſil*. The ſame Councell did with an uniforme conſent remoove Pope *Eugenius*, a Simoniacal & Schiſmatical perſon, and put *Amideus* in his place. But *Eugenius* vilifies the Councels Decree; and though he were moſt Simoniacall and Schiſmaticall, yet he continued to be the Succeſſor of *Peter*, the Vicar of CHRIST, and Head of the whole Church of GOD. He retained

ned his former dignity in despight of all their teeth, and was magnificently carried, as before, upon noble mens shoulders. *Amideus*, as one fallen from his horse, walked on foot like a simple man, and thought himselfe happy, that of a *Pope* he was made a Cardinall. The Councell of *Trent* commanded that Bishops should teach the people, and that no one man should have more then one Spirituall preferment at one time: But they, contrary to the Edict of their Councell, accumulate Benefices, and instruct not at all. So they make Lawes, but obey them not, but when they list. This is the esteeme they have alwayes made of their owne Councels, and the Decrees thereof.

And why should we hope for better successe at this present? With what 22
expectation or hope can any one come to the Councell? Doe but thinke with your selfe what manner of men they bee, upon whose fidelity learning and judgement, the weight of this whole Councell, the discussing of all questions, and the whole estate of all things must lie and rest. They are called Abbots and Bishops, grave persons, and faire titles, men) as it is beleeved) of great importance for the government of the Church of GOD. But take from these men their titles, the persons they beare, and their trappings, there will nothing that belongeth to an Abbot or a Bishop remain in them. For they are not ministers of CHRIST, dispensers of the mysteries of GOD; they apply not themselves to reading, or to preach the Gospell; they feed not the flocke, they till not the ground, they plant not the Lords Vineyard, nor kindle the fire, nor beare the Arke of the Lord, nor are the Ambassadours of CHRIST: they watch not, nor do the worke of an Evangelist, nor performe the duty of their ministery: they intangle themselves with secular businesses; they hide the Lords treasure, they take away the keyes of the Kingdome of God; they goe not in themselves, nor suffer others; they beat their fellow servants, they feed themselves, and not the flocke: they sleepe, snort, feast and ryot: they are cloudes without water, starres without light, dumbe dogges, slow bellies; as *Bernard* saith, not Prelates, but Pilats; not Doctours, but seducers; not Pastors, but impostors: The servants of CHRIST (saith he) serve Antichrist. The Popes will allow none but these to have place and suffrage in the Councell. The care & charge of *Christ's* Catholike Church must depend upon their power and judgement: Vpon none but such as these doth Pope *Pius* relye. But (good GOD) what manner of persons are they? They hold it ridiculous to aske that question. It is no matter (say they) how learned, or how religious they be; what their aime is, or what they thinke: If they can sit upon a Mule; if they can ride through the streetes with pompe, and with a noyse; if they can come into the Councell, and say nothing, it is sufficient. If you beleeve me not, and thinke I speake in jest, heare what the faculty of Divinity, & the whole *Sorbone*, have determined concerning this matter. That which our great masters affirme (say they) concerning the due assembling of a Councell, is to be understood thus; that for the lawfull calling of a Councell it is sufficient, that the forme of Law be solemnly observed. For if it should be disputed, whether the Prelates there assembled have a good intention; whether they be learned, especially in the Scriptures, and

are willing to obey wholeſome doctrine, it would prove an infinite buſineſſe. Thoſe, forſooth, who ſit mute, like the ſtatues of *Mercury*, not knowing what belongs to Religion, will determine well concerning all points of Religion, and, whatſoever they ſay, they cannot poſsibly erre.

23 Theſe are obliged to the Pope, not through error and ignorance, but by oath and Religion: So that although they ſhould underſtand the truth, they cannot without perjury make profeſsion of it, and are neceſsitated to break faith, either with God or man. For this is the formal oath wch they all take. I N. C. Biſhop, will henceforward bear true faith to *S. Peter*, & to the holy Apoſtolike Roman Church, to my lord the Pope N. & his ſucceſſors, which ſhall enter canonically. I will not be a meanes, either by word or deed, that he may looſe, either life or member, or be taken priſoner: I will not reveal any Councell that hee ſhall impart unto me, either by letters or meſſage, which may be any way dammageable to him: I wil help to defend & maintaine againſt all the world the Papacy of the Church of *Rome*, & the rules of the holy fathers. In old time, when the Prieſts of *Apollo Pythius* began to ſpeak plainly in favour of King *Philip*, many would merrily ſay, that *Apollo* began to *Phillippize*. When we ſee that nothing is decreed in the Councel, but at the Popes pleaſure, why may we not ſay that the oracles of the Councels doe *Papize*; that is, ſay nothing but what the Pope will. When *Verres* was charged with many crimes, of wch in probability he was guitly, they ſay he was ſo wiſe, as not to commit his triall to any, but only to ſome truſty perſons of his owne train. The Popes have dealt more wiſely: For they have choſen ſuch judges, whom they know neither will (becauſe it is their owne caſe, in regard they refer all to voluptuouſneſſe & gluttony) nor can if they would (becauſe they are ſworne) decree any thing contrary to his will and pleaſure. They ſet the holy Bible in the midſt, as if they would doe nothing againſt it; they looke upon it afarre off, and read it not. Indeed they bring a prejudicated opinion with them, not regarding what *Chriſt* hath ſaid, but decreeing whatſoever they pleaſe.

24 Therefore that liberty wch ought to be in all conſultations, eſpecially ſacred, & which is moſt proper to the *holy Ghoſt*, and the modeſty of Chriſtians, is quite taken away. *Paul* ſaith, If any thing be revealed to another that ſitteth by, let the firſt hold his peace: But theſe men apprehend, impriſon and burne whoſoever dareth but whiſper againſt them. Witneſſe hereof the cruell death of two moſt holy and reſolute men, *John Huſſe* and *Hierom* of *Prague*, whō they put to death contrary to their ſafe conduct, & ſo brake their faith, both with God & man. So the wicked Prophet *Zedekias*, when he had put on iron hornes, ſtrook, *Micheas* the Prophet of the Lord on the face, ſaying, how hath the ſpirit of God left me, & is come to thee? Therefore theſe men alone domineer in Councels, all others being excluded: they alone give voices, and make lawes; like unto the *Epheſians* in times paſt: let no man (ſay they) live here, who is wiſer then the reſt, except he have a mind to be caſt into baniſhment. They will not hear any of our men ſpeak. In the laſt convention of the Councel at *Trent*, ten yeers ſince, the Ambaſſadors of the Princes & free Cities of *Germany* came thither with a purpoſe to be heard, but were abſolutely refuſed. For the Biſhops and Abbots an-

2 Cor. 14. 30

ſwered

ſwered that they would not ſuffer their cauſe to have a free hearing, nor ſuffer controverſies to be diſcuſſed out of the word of God: that our men were not to be heard at all except they would recant; which if they refuſed to doe, they ſhould come into the Councel upon none other condition but to heare the ſentence of condemnation pronounced againſt them. For *Julius* the third in his Bull of indiction of the Councell declared plainly that either they ſhould change their opinions, or elſe ſhould be condemned for heretiques before they were heard. *Pius* the fourth, who hath now a purpoſe to reaſſemble the Councell, hath already prejudged for heretiques all thoſe who have left the Roman Church, that is to ſay, the greateſt part of the Chriſtian world, before they were ever either ſeen or heard. They ſay, and they ſay it ſo often, that already all is well with them, and that they will not alter one jot of their doctrine and religion. *Albertus Pighius* ſaith, that without the authority of the Roman Church one ought not to beleeve the cleereſt and plaineſt Scripture. Is this to reſtore the Church to her integrity? Is this to ſeeke the truth? Is this the liberty and moderation of Councels.

Though theſe things bee moſt unjuſt, and moſt different from the fa- 25
ſhion of ancient Councels and of modeſt men, yet this is more unjuſt, that whereas the world complaineth of the Papall pride and tyranny, and doth beleeve that nothing can be amended in the Church of God untill he be reduced into order, yet al things are referred unto him, as unto a moſt conſcientious peacemaker and judge. And unto what a kind of man (good God) are they referred? I will not call him an enemy of the Truth, ambitious, covetous, proud, intolerable, even to his own followers. But they would make judge of all religion him who comandeth that all his determinations ſhall bee of equall value with thoſe of Saint *Peter* himſelfe, and ſaith, that in caſe he carry a thouſand ſoules with himſelfe to hell, yet no man ought to reprehend him for it: who avoucheth that he can make injuſtice to be juſtice: whom *Camotenſis* affirmeth to have corrupted the Scriptures, that he might have fulneſſe of power: and to conclude, whom his owne familiars and followers (*Joachimus Abbas, Petrach, Marcilius Patavinus, Laurentius Valla, Hieronymus Savanorola*) doe cleerely prenounce to be The *Antichriſt*. All is referred to the judgement and will of this man alone, ſo that the ſame man is the party arraigned, and the Iudge: the accuſers are heard from an inferiour place; and the party accuſed ſits in his Tribunall, and pronounceth the ſentence concerning himſelfe. Theſe laws, forſooth, ſo equall, and ſo reaſonable, Pope *Julius* hath given us. No Councel (ſaith he) is of any credit, nor never will be, unles it be confirmed by the authority of the church of *Rome*. *Bonifacius* 8. ſaith, that no creature in the world con poſsibly be ſaved, except he be ſubject to the *Romane* Church. And Pope *Paſchal* thus; As though, ſaith he, any Councels have made lawes for the Church of *Rome*, when as all Councels doe ſubſiſt by it, and receive their ſtrength from it, and doe expreſly except in all their Decrees the authority of the Biſhop of *Rome*. Another ſaith, That which the Pope approveth or diſprooveth, we ought to approove or diſproove likewiſe. And againe, It is not lawfull for any man to diſallow that which the Pope approoveth. I

know not what Paraſite it is who moſt ſhameleſly ſaith, that though all the world ſhould be of one opinion againſt the Pope, yet it ſeemeth to me that the Popes opinion muſt be maintained. And another as impudently as hee; It is a kinde of ſacriledge but to diſpute of the Popes fact, who though hee be not alwayes a good man, yet muſt hee alwayes be preſumed to be. Another yet more impudently ſaith, The Pope's will is heavenly; therefore in thoſe things which hee willeth, his will ſtandeth for reaſon; neither ought any man to ſay to him, why doe you ſo? To leave many the like ſayings, which are infinite, and to make an end, Pope *Innocent* the ninth ſpeakes moſt impudently of all; The Iudge will not be judged, neither by the Emperour, nor by Kings, nor by the whole Clergie, nor by all the people of the world. O immortall God! how neere are they come to ſay thus; I will aſcend upon the North-pole, and I will be like to the moſt High. If the Popes ſay true, what need we a Councell? If they will hold a ſincere and a free Councell, away with theſe wicked and vainglorious lyes: Let them not onely not be practiſed, but let them even be raſed out of all their Bookes, that all may not bee left to the will and pleaſure of one man who is moſt juſtly ſuſpected. But the Popes, ſay they, cannot erre, and that the word of GOD is to bee regulated as they pleaſe: Before they enter into their place they ſweare to maintaine certaine late Councels, which are moſt fowlly corrupted, and doe religiouſly promiſe that nothing ſhall be changed. What marvaile then that no good comes of a Councell, if that errors and abuſes are not taken away? that the Ambaſſadours of Princes are in vain called thither from ſo many remote parts? Notwithſtanding I heare that now there are ſome men, not ill affected, yet careleſſe what they ſay, who, though they condemne the arrogancie and *Perſian* pride of the Pope, and his even *Epicurean* contempt of Religion, yet they deſire that his authority ſhould be maintained: Though they ſometimes confeſſe him to be Antichriſt, yet being mounted unto that chayre, they doubt not but that he is *Univerſall Biſhop* & head of the whole Church of CHRIST. Here they triumph and pleaſe themſelves, as if the *Holy Ghoſt* were affixed to the Popes palace. Yet the ſaying is, The place doth not ſanctifie the man, but the man the place. And *Hierome*, as he is cited by them, ſaith, that, They are not ſons of the Saints who hold their places, but who imitate their deeds. Likewiſe *Chriſt* telleth us, that the Scribes and Phariſees ſit in *Moſes* chaire, but warneth us not to allow of their authority further then they ſpeake out of the word of God. *Auguſtine* ſaith, What ſaid *Chriſt* but this; Heare the voyce of the Shepherd even by hirelings? For by ſitting in the chayre they teach the Law of God; therefore God doth inſtruct us by them If they will teach ought of their own, heare them not, do it not. Likewiſe *Paul* ſaith, that Antichriſt, that man of ſin, muſt ſit in the Temple. *Hierome* ſaith, Well, doeſt thou conſider *Peter*? conſider *Judas* alſo: doſt thou allow of *Stephen*? marke alſo what *Nicholas* was. Eccleſiaſticall dignity maketh not a Chriſtian. Thus farre *Hierome*. It is reported that Pope *Marcellinus* ſacrificed to Idoles; that Pope *Liberius* was an *Arrian*; that Pope *John* the 22 had an impious opinion concerning the immortality of the ſoule; that Pope *Iohn* the 8. was a woman, that ſhe commit-

mitted adultery during her Papacie, and going pompously in procession about the Citie, was delivered of a child, even in the very sight of the Bishops and Cardinals. And *Liranus* affirmeth, that many popes have turned infidels. Wherefore we must not be too confident of places, and successions, and vaine titles of dignities. Wicked *Nero* succeeded godly *Metellus*. *Annas* and *Caiaphas* succeeded *Aaron*: and oftentimes Idoles are put in the place of GOD.

But what I pray you is this great power and authority, whereof they 26
do so insolently boast? whence comes it? From heaven, or of men? Christ spake unto *Peter*, say they; upon this rocke I will build my Church; by which words, the Popes authority is confirmed. For the Church of Christ is placed in *Peter*, as in the foundation. But Christ gave nothing to *Peter* by these words more then to the other Apostles: neither doth hee make mention of the Pope, or of *Rome*. Christ is that rocke; Christ is that foundation. No man, saith Saint *Paul*, can lay another foundation then that which is already laid, which is *Christ Jesus*.

These words, upon this rocke I will build my Church, Saint *Augustine* 27
expoundeth thus: upon this, saith he, which *Peter* confessed, saying, Thou art *Christ* the sonne of the living God. It is not said thou art the rock, but thou art *Peter*. the rock was *Christ*. Saint *Basil* saith thus: upon this rock, that is, upon this faith I will bnild my Church. *Origen*, that most ancient Father, saith that every disciple is a rocke, after that he hath drunke of that spirituall rock; and upon such a rock all the doctrine of the Church is builded. But if thou thinkest that the whole is built upon *Peter* onely, what sayest thou of *Iohn* the sonne of thunder, and of each of the Apostles. For shall we be so bold as to say, the Gates of hell shall not prevaile against *Peter* onely, and they shall prevaile against the rest of the Apostles; and against good men? Or shall wee not rather say, let that which is spoken (and the Gates of hell shall not prevaile against him; and that other, upon this rocke I will build my Church) be true in every one of those of whom it was spoken. Were the keyes of the kingdome given to *Peter* onely, so that none of the other Saints might meddle with them. Then if this saying, (to thee I will give the keyes of the kingdome of Heaven) be common to others also, why are not the other sayings so to? Saint *Hilary* saith, There is but one happy rocke of faith, which *Peter* confessed with his mouth. And again he saith, upon this confession of *Peter* the Church is built: and a little after hee saith, This faith is the foundation of the Church. In like manner other Fathers, *Hierome*, *Cyrill*, *Beda*, say that the Church is built, not upon *Peter*, but upon his faith, that is, upon *Jesus Christ* the sonne of God, whom *Peter*, by divine inspiration, confessed. *Peter* (saith *Augustine*) taketh his name from the rocke, not the rocke from *Peter*; neither will I (sayth hee) build my selfe upon thee, but I will build thee upon mee. So also *Nicholas Lira* (though he be not alwayes a good author, for you know in what age he lived) saw thus much: Vpon this rocke, sayth hee, that is, upon CHRIST. By this it appeareth, that the Church cannot rely wholly upon any man by reason of any power, or Ecclesiasticall dignity, because many Popes are knowne to be Apostats, have been Apostats.

Why

28 Why then, wherein doth this Papall anthority conſiſt? In teaching? They teach not at all. In adminiſtring the Sacraments? They adminiſter them not. In feeding? Why they doe it not. Yet this is the power which CHRIST beſtowed on his Apoſtles. Go (ſaith he) into the whole world, and preach the Goſpell: And afterward; Ye ſhall be fiſhers of men. And, as my living Father ſent me, ſo ſend I you. But theſe men whither go they? what doe they teach, or preach, or fiſh for? From whence goe they, or by whom are they ſent? This is not Apoſtolicall authority, but a proud intolerable domination, uſurped by force and tyranny. None of us (ſaith *Cyprian*) calleth himſelfe Biſhop of Biſhops, nor violently compelleth his Colleagues to any neceſſary obedience, ſith every Biſhop may uſe his liberty and power according to his owne diſcretion, without being judged by any, ſeeing that hee himſelfe judgeth no man. Againe he ſaith, The other Apoſtles were that which *Peter* was, and had the ſame fellowſhip of honor, and power. Saint *Hierome* ſaith, the authority of the world is greater then that of one City. Why doe you extoll the cuſtome of one City? Why doe you make a paucity, whence pride began, to give laws to the Church? Whereſoever any Biſhop is, whether at *Rome*, or at *Eugubium*, or at *Conſtantinople*, or at *Rhegium*, he is of the ſame deſert and Prieſthood. The ſtrength of riches, or humbleneſſe of poverty maketh a Biſhop neither greater nor leſſe. *Gregory* ſaith, *Peter* is the chiefe member in the body; *Iohn*, *Andrew*, *Iames* are Heads of particular people: yet all of them are members of the Church under one head. Nay, the Saints before the Law, the Saints under the Law, the Saints under the Goſpel, and all that make up the body of the Lord are to be accounted members, and none was ever willing to bee called Vniverſall.

29 This is that power which ſome doe ſo ſtrenuouſly defend at this day, which, whatſoever they thinke of the Popes life and religion, they would have to be moſt religiouſly maintained, as if the Church could not ſubſiſt without it; or as if a Councell were no Councell except the Pope did will and command it to be ſo; or as if the whole world muſt needs be deceived, if it ſhould thinke otherwiſe. Wherefore now, that you ſee that all things are moſt unjuſtly handled, that nothing is ſincerely and fairely caried in Councels, you may not wonder that our men had rather tarry at home, then take ſo long, and ſo idle a journey, in which they ſhall both loſe their labour, and betray their cauſe.

30 You will ſay, it is not lawfull to make change in religion without order from the Pope and the Councell. Yet the Popes have changed almoſt the whole ſtate of the Primitive Church without any Councell at all. You uſe a faire ſmooth ſpeech, but it is to cover foule errors. The purpoſe is onely to keep mens minds in expectation, that being wearied with tedious delayes they may at the laſt deſpaire of any good. For what? while the Pope aſſembleth a Councell, while the Biſhops and Abbots returne home, will they have GOD's people in the meane while, to bee deceived, to erre, to miſtake themſelves, to bee overwhelmed with errors, and want of the knowledge of GOD, and ſo to bee carried to everlaſting deſtruction? Is it not lawfull for any of us to beleeve in CHRIST, to profeſſe the Goſpel, to

ſerve

ſerve God aright, to fly ſuperſtition, and idolatry, except they will be pleaſed to give us leave? The ſtate of Gods children were moſt miſerable, if, there being ſo many errors, ſo generally ſpread, ſo groſſe, ſo blind, ſo foule & ſo perſpicuous and manifeſt, that even our adverſaries themſelves are not able to deny them, nothing could be done without the whole world ſhould meet a generall Councell; the expectation whereof is very uncertain, and the event much more. In times paſt, when the *Perſians* invaded *Greece*, and began to lay all waſte, if thē the *Lacedemonians*, whoſe virtue was then moſt eminēt amongſt the *Grecians*, whoſe help was requiſite aſſoon as might be, had expected a more ſeaſonable moone to make war in (for it was an ancient ſuperſtition, which proceeded from *Lycurgus*, not to go forth to fight but in a full moone) their Country might have beene ſpoiled whilſt they deferred the time. They ſay, delay breeds danger. The ſafety of God's Church is in queſtion; the devill goeth about roaring like a Lion, ſeeking whom he may devoure. Simple men are eaſily deceived, and though they be often touched with a zeal towards God; yet they perſecute the ſonne of God before they be aware: And, as *Nazianzen* ſaith, when they purpoſe to fight for *Chriſt*, they fight againſt him: Nay the Biſhops themſelves, who ought to have a care of theſe things, are (as though they were but Ghoſts) careleſſe of them: or, to ſpeake truth, they increaſe the error, and make the miſt that is in their Religion twice as great as it was. Muſt we therefore ſit idle, expecting how theſe Fathers will handle the matter? muſt we hold our hands together and doe nothing. Nay, ſaith *Cyprian*, there is but one Biſhoprique, of which every one holdeth an intire part, whereof he is to give account to the Lord. I will require, ſaith the Lord, their blood at thy hands. If any ſhall put his hand to the plough and looke backe, and be ſollicitous what others think, and expect the authority of a General Councell, and hide the Lord's treaſure, in the meane while, he ſhall heare this, O evill and faithleſſe ſervant! take him away, and caſt him into utter darkneſſe. Suffer (ſaith *Chriſt*) the dead to bury their dead, but come thou and follow me. In humane councels, it is the part of a wiſe man to expect the judgement & conſent of men? but in matters divine, Gods word is all in all: the which ſo ſoone as a godly man hath received, he preſently yeeldeth and ſubmitteth himſelfe; he is not wavering, nor expecteth others. He underſtandeth that he is not bound to give eare to the Pope, or the Councell, but to the wil of God, whoſe voice is to be obeyed, though all men ſay nay. The *Prophet Elias* preſently obeyed Gods command, though he thought he was alone; *Abraham*, being warned of God, went out of *Chaldea*; *Lot* went out of *Sodome*, the three Iſraelites made a publike confeſsion of their Religion, and did publikely deteſt Idolatry, without expecting a generall Councell. Go (ſaith the *Angel*) out of the midſt of her and partake not of her ſins, leſt you taſte of her Plagues. He ſaith not, expect a Synode of Biſhops. So God's truth was firſt publiſhed, and ſo it is now to be reſtored. The *Apoſtles* firſt taught the *Goſpell* without a publique Councell; in like manner the ſame *Goſpell* may be reſtored againe without a publique Councell. If at the firſt, *Chriſt* and his *Apoſtles* would have tarried, and differred all untill a general Councell, when had their ſound gone forth into all lands? how had the kingdome

kingdome of heaven ſuffered violence? and how had the violent taken it by force? Where now would the *Goſpell*, and the Church of God have been? As for our parts, we do not fear & fly, but deſire and wiſh for a Councell, ſo that it be freely ingenuous, and Chriſtian; ſo that men doe meet as the *Apoſtles* did; ſo that Abbots and Biſhops be freed from their oath by which they are bound to the Popes; ſo that, that whole conſpiracy be diſſolved; ſo that our men may be modeſtly and freely heard, and not condemned before they be heard; ſo that one man may not have power to overthrow whatſoever is done. But ſeeing it impoſsible (as the times now are) that this ſhould be obtained; and ſeeing that all abſurd things, fooliſh, ridiculous, ſuperſtitious, impious are defended moſt pertinaciouſly, and that for cuſtome ſake, becauſe they have beene once received, we have thought it fit to provide for our Churches by a nationall Councell.

31 For we know that the Spirit of God is tied neither to places, nor to numbers of men. Tell it to the Church, ſaith *Chriſt*: not to the whole Church ſpread over the world, but to a particular, which may eaſily meet in one place. Whereſoever, ſaith he, two or three ſhall be gathered together in my Name, there am I in the midſt of them. When *Paul* would reforme the Churches of the *Corinthians*, and of the *Galatians*, he did not command them to expect a Generall Councell; but only wrote unto them, that what error ſoever or vice was amongſt them, themſelves ſhould preſently cutt it off. So in times paſt, when Biſhops did ſleepe, or intended by matters, or did defile and pollute the Lords Temple, God did alwaies extraordinarily raiſe up ſome, men of great ſpirit and courage, who made all well and ſound againe.

32 For our ſelves, we have done nothing but with very good reaſon; nothing but what we ſaw to be lawfull, and to have beene practiſed by the Fathers of the Primitive Church, without any reprehenſion at all. Wherefore we called a full Synod of Biſhops, and, by common conſent of all ſorts, purged our Church, as it were *Augeus* his ſtable, of thoſe excrements, which either the negligence, or the malice of men had brought in. Wee have reſtored all things, as much as poſsibly we could, to the ancient purity of the Apoſtolicall times, and the ſimilitude of the primitive Church. This was juſtly in our power to doe, and becauſe wee could doe it, we did it boldly.

33 Here I think it fit that you ſhould heare what Pope *Gregory* the firſt hath written concerning this matter; which pleaſeth me the more, becauſe he wrote it to *Auguſtine*, Biſh. of the *Engliſh*, about the inſtructiō of the Church of *England*. He exhorteth him not to call a Councell, but to ordaine that wch he himſelfe in his own wiſdome did think would moſt promote pietie and Religion. Your brotherhood, ſaith he, knoweth the cuſtome of the *Romane* Church, in which you have beene brought up. It pleaſeth me to heare, that you have been carefull to make choice of as many things as you can find acceptable to GOD, either in the Church of *Rome*, *France*, or of any other, that you may bring them into the *Engliſh* Church, which is as yet but new in faith, and, as it were, but now to be framed. For things are not to be valued becauſe of the place where they are found, but places

are

are to be valued for the things that are in them.

So the Fathers in the Councel of *Constantinople* write to *Damasus* Bishop of *Rome*, and to the other Westerne Bishops: You know, say they, that the old Decree, and definition of the *Nicen* fathers concerning the care of particular Churches, hath alwaies been in force, that the husbandmen of the Lord's vineyard in every Province, taking the next bordering neighbours unto them, if they please, should bestow Ecclesiasticall honours upon those whom they thinke will use them well. The Bishops of *Africa* wrote thus to *Celestinus* Bishop of *Rome*: Let your Holinesse as becommeth you, take away all wicked evasions of Priests, & inferiour Clergie-men, because none of the Fathers have denied this to this Church of *Africa*. And the Decrees of the *Nicen* Councell doe most plainely referre not onely meane Clergie-men, but even the Bishops themselves to their Metropolitans. For busines are best ended in the places where they are, neither is the grace of the *Holy Spirit* wanting unto any Province. Let this equity be wisely observed, and constantly maintained by the ministers of CHRIST. 34

Eleutherius, Bishop of *Rome* writeth to *Lucius* King of *Britanny* much better, and more oppositely to our present purpose: You have (saith he) desired that we should send you the lawes of the Romans, and of the Empereurs, that you may make use of them in the kingdome of *Britanny*. These lawes we may abrogate when we will, but the laws of God we cannot. You have received (by God's mercy) into your kingdome of *Britanny* the law and faith of CHRIST; you have there the Old and the New Testament: from them take, through the grace of God, lawes by a Councell of your owne kingdome, and, God permitting you, instruct your kingdome of *Britanny* by them. For you are Gods Vicar in that kingdome; according to that of the *Psalmist*, *The earth is the Lords*. 35

What should I say more? *Victor*, Bishop of *Rome* held a provincial *Synod* at *Rome*. *Justinian the Emperor* cõmandeth that Synods (if there were occasion) should be held in every Province; protesting to punish them, if they did not do it. Every province (saith *Hierom*) hath peculiar maners, & rites, and conceits, which cannot be altered without a great deal of trouble. What should I repeat those old provinciall Councels at *Eliberis*, *Gangra*, *Laodicea*, *Ancyra*, *Antioch*, *Tyrus*, *Carthage*, *Milevitũ*, *Tholouse*, & *Burdeaux*. This is no new invẽtiõ. The Church of God was so governed before the fathers met in the Nicen Councel: men did not presently run to a general Councel. *Trophilus* held a provincial *Councel* in *Palestina*; *Palmas* in *Pontus*; *Irenæus* in *France*; *Bacchylus* in *Achaia*, *Origen* against *Berillas* in *Arabia*. I omit many other Nationall Councels held in *Africa*, *Asia*, *Gracia*, *Egypt*, without any order frõ the Bishop of *Rome*; wch Councels were godly, Orthodox, & Christian. For Bishops in those times upon the sudden, if any occasion had bin offred, did provide for the necessity of their Churches by a domesticall Councell, & somtimes craved ayd from their neighbor Bishops; so that they mutually helped one the other. Neither did Bishops only beleeve, that the cause of Religion belonged to them, but even Princes too. For to passe over *Nebuchadnezar*, who commanded upon pain of death, that the name of the *God* of *Israel* should not be blasphemed; to omit *David*, *Solomon*, *Ezekias*, *Josias*, who partly built, 36

partly purged the Temple of the Lord, *Conſtantius* the Emperour put down Idolatry without a Councell, and made a moſt ſevere edict, that it ſhould be capitall to ſacrifice to Idols. *Theodoſius* the Emperour cauſed the Temples of the heathen gods to bee pul'd to the very ground. *Iovinian*, ſo ſoone as he was created Emperour, made his firſt law for the reſtoring of baniſhed Chriſtians. *Iuſtinian* the Emperor was wont to ſay, that he had no leſſe care of Chriſtian religion, then of his owne life. When *Ioſua* was made ruler of the people, he preſently received command concerning Religion, and the worſhip of God. For Princes are nurſing Fathers of the Church, & keepers of both tables. Neither is any greater cauſe that hath mooved God to erect politique States, then that alwaies there might be ſome to maitaine and preſerve Religion and piety.

37 Princes therefore now a dayes do more grievouſly offend, who indeed are called Chriſtians, but ſit idly, follow their pleaſures, and patiently ſuffer impious worſhips & contempt of God, leaving all unto their Biſhops, whō they know to make but a mocke of Religion: as if the care of the Church, and of Gods people belonged not to them, or as if they were Paſtors but of ſheep and oxen, as it were, to be carefull of their bodies, and neglect their ſoules. They remember not, that they are God's ſervants, choſen of purpoſe to ſerve him. *Ezekias* went not into his owne houſe, before he ſaw God's Temple purified. *King Dauid* ſaid, I will not give any ſleep unto mine eyes, nor ſuffer mine eye lids to ſlumber, untill I have found a place for the Lord, a tabernacle for the God of *Iacob*. O that Chriſtian Princes would heare the voice of the Lord! Now, ſaith the Lord, underſtand O yee Kings, and learne ye that be judges of the earth: I have ſaid ye are God's, that is, men choſen by God to honour his Name. Thou, whom I have raiſed out of the duſt, and placed in the higheſt degree of dignity and honour, and ſet thee over my people, when thou art ſo carefull to build and adorne thine owne houſe, do but thinke with thy ſelfe how thou canſt contemne mine houſe? Or how doſt thou pray daily, that thy kingdome may be confirmed to thee and thy poſterity? Is it that my Name may be contemned? that the Goſpell of my CHRIST may be put downe? That my ſervants, for my ſake, may be ſlaine before thine eyes? That tyranny may be further ſpread, my people alwaies deceived and ſcandall confirmed by thee? Woe unto him by whom ſcandall cometh: Woe alſo unto him by whom it is confirmed. Thou abhorreſt materiall blood: how much more the blood of ſoules? Thou remembreſt what hapned to *Antiochus*, *Herod* and *Iulian*: I will give thy kingdome to thine enemy, becauſe thou haſt ſinned againſt me: I change times, and ſeaſons: I put downe and raiſe up Kings; that thou maieſt underſtand that I am the moſt high, that I have power over the kingdome of men, and give it to whom I will. I bring low, and I exalt: I glorifie them that glorifie me, and put to ſhame thoſe that deſpiſe me.

Epiſtola

Epistola Reu. P. Joannis Juelli, Episcopi Sarisburiensis, ad virum nobilem, D. Scipionem, Patricium Venetum.

Scribis ad me familiariter pro ea consuetudine, quæ inter nos summa semper fuit (ex eo usque tempore, quo unà vixim⁹ Patauiæ, Tu in Reip. tuæ tractatione occupatus, ego in studijs literarum) mirari te, tecum ñ, alios ictic multos, cum hoc tempore Concilium generale componendæ religionis, & contentionis tollendæ causa Tridenti à Pontifice indictum sit, & eò jam reliquæ omnes nationes undique convenerunt, solum Angliæ regnum, nec Legatum eò aliquem misisse, nec absentiam suam per nuntios, aut literas excusasse: sed sine consilio omnem propè rationem veteris, & avitæ religionis immutasse: quorum alterum superbæ contumaciæ videri aiũ, alterum perniciosi schismatis. Nefas enim esse, si quis sanctissimam authoritatem defugiat Rom. Pont. aut vocatus ab illo ad Concilium se subducat. Controversias autem de religione non alibi, quam in hujusmodi conventibus fas esse disceptari. Ibi enim esse Patriarchas & Episcopos; Ibi esse ex omni genere hominum viros doctissimos; ab illorum ore petendam esse veritatem; ibi esse lumina Ecclesiarũ; ibi esse spiritum sanctum; Pios Principes semper omnes, si quid incidisset ambigui in cultu Dei, illud semper ad publicam consultationem retulisse. Mosen, Josuam, Davidem, Ezechiam, Josiam, alios que Iudices, Reges, Sacerdotes, de rebus divinis non alibi, quàm in Episcoporum Concilio deliberasse; Apostolos Christi, pios q; Patres inter se Concilia celebrasse: sic veritatem emicuisse; sic expugnatas esse hæreses; sic Arrium, sic Eunomium, sic Eutychetem, sic Macedonium, sic Pelagium succubuisse; sic hodie dissidia orbis terrarum componi, & ruinas Ecclesiæ farciri posse, si positis contentionibus & studijs veniatur ad Concilium: sine Concilio autem quicquam in religione tenari nefas esse. 1

Atque hæc quidem ferè literarum tuarum summa fuit. Ego verò non id mihi nunc sumo, ut tibi pro regno Angliæ, quo quidque consilio factum sit, quicquam respondeam. Neque te id à me requirere, aut velle arbitror. Regum consilia recondita & arcana sunt, & esse debent. Nosti illud, nec passim, nec omnibus, nec quibuslebet. Tamen pro nostra inter nos veteri & privata consuetudine (quoniam te id video ita prolixè petere) quid mihi videatur, breviter & amicè respondebo: sed ita, ut ait ille, quantum sciam poteroque, idque tibi non dubito fore satis. 2

Miramur, inquis, Legatos ex Anglia ad Concilium non venire. Obsecro te, An Angli soli ad Concilium non veniunt? an ergo tu Concilio interfuisti? an censum egisti? an capita singula enumerasti? an videbas alias nationes undique omnes convenisse, præter Anglos? Quod si tibi mirari tam cordi est, cur non miraris hoc quoque: aut tres illos memorabiles Patriarchas, Constantinopolitanum, Antiochenum, Alexandrinum, aut presbyterum Ioannem aut Græcos, Armenios, Medos, Persas, Egyptios, Mauritanos, Æthiopas, Indos ad Concilium non venire? An enim multi ex estis 3

omnibus non credunt in Christum? non habent Episcopos? non baptizantur in nomine Christi? non sunt, appellanturq; Christiani? An vero ab istis singulis nationibus venerunt Legati ad Concilium? An tu hoc potiùs dices, Papam illos non vocasse, aut illos Ecclesiasticis vestris sanctionibus non teneri?

4 Sed nos hoc miramur magis, Papam eos, quos inauditos, indictâ causâ, probæreticis jam antea condemnavit, & publicè excõmunicatos pronunciavit, eosdem postea vocare voluisse ad Concilium. Homines enim primùm damnari atque affici supplicio, deinde eosdem vocari in judicium, absurdum est, & ὕστερον πρότερον. Verum hoc mihi velim responderi, utrum id agat pontifex, ut nobiscum, quos habet probæreticis, in Concilio de Religione deliberet; an potiùs, ut nos ex inferiori loco causam dicamus, & vel statim mutemus sententiam, vel iterum è vestigio condemnemur? alterum novum est, & prorsus nostrarum partium hominibus jam pridem à Julio Papa tertio denegatum: alterum ridiculum est, si id putat, Anglos venturos esse ad Concilium, tantùm ut accusentur, & causam dicant, apud illum præsertim, qui jamdudum non tantum à nostris, sed etiam à suis gravissimis criminibus accusetur.

5 Quod si Anglia sola tibi adeo videtur esse contumax, ubi ergo sunt legati Regis Daniæ, Principum Germaniæ, Regis Suetiæ, Helvetiorum, Rhætiorum, liberarum Civitatum, Regni Scotiæ, Ducatus Prussiæ? Cum in Concilio vestro tot desiderentur nationes Christianæ, ineptũ est Anglos solos numerare. Sed quid ego istos dico? Pontifex ipse ad Concilium suum non venit, & cur tu hoc etiam non miraris? Quæ enim est ista superbia, unum hominem animi causa, cum libet, convocare omnes Reges, Principes, Episcopos Christianos, eósque velle dicto esse audientes, ipsum solum in illorum conspectũ non venire? Certè quum Apostoli agerent conventus Hierosolymis, Petrus Apostolus, de cujus iste sede & successione gloriantur, abesse noluit. Verùm, opinor, meminit Pius Papa quartus, is qui nunc Pontificatum obtinet, quid Joanni 22. olim acciderit: illum non satis auspicatò venisse ad Concilium Constantiense: venisse enim Papam, & rediisse Cardinalem. Itaque ex eo tempore Pontifices caverunt sibi post principia, & se continuerũt domi, & omnibus Concilijs, ac liberis disceptationibus obstiterunt. Nam ante annos quadraginta cum Doctor Martinus Lutherus omnibus Diris & fulminibus à pontifice peteretur, quòd docere cepisset Evangelium, & ex verbo Dei religionem instauraret, & summissè petijsset, ut causa sua integra reijceaetur ad cognitionem Concilij generalis, audiri non potuit ullo modo. Leo enim decimus Papa satis videbat, si res ad Concilium redijsset, suam etiam rem venire posse in periculum, & seipsum fortasse audire ea posse, quæ nollet.

6 Pulchrum quidem est nomen Concilij generalis, modo ita, ut oportet, conveniatur, & positis affectionibus omna referantur ad præscriptum verbi Dei, & uni veritati serviatur. At si aperte religio, & pietas opprimatur, si tyrannis, & ambitio confirmetur, si factionibus, ventri, libidini studeatur, nihil potest cogitari Ecclesiæ Dei perniciosius. Atque hæc quidem hactenus ita dico, quasi Concilium istud, quod tu dicis usquam, aut ullum sit: quod ego prorsus nullum esse arbitor. Aut si uspiam, aut ullum est certè obscurũ & valde arcanum est. Nos enim quamvis non ita procul absumus, tamen quid agetur, qui Episcopi convenerint, vel potuis an ulli omnino convenerint, scire adhuc nullo modo possumus. Immo etiã ante viginte mẽses, cũ Concilium istud à Pontifice Pio primũ indiceretur, Ferdinãdus Imperator respõdit: quamvis alia omnia convenirẽt, locũ tamẽ, quem Papa delegerat sibi magnopere displicere. Tridentũ enim et si bella sit Civitas, tamẽ nec satis opportunã esse tot gẽtibus, nec tantã frequentiã hominum, quantũ ad generale Concilium convenire par sit posse capere.

pere. Eadem ferè ab alijs Principibus Christianis, à quibusdam etiam non paulò asperiora respondebantur. Itaque nos ista omnia unà cum Concilio in fumos abijsse credebamus.

Sed obsecro te, quis ille tandem est, qui istud Concilium indixit, & orbem terrarũ convocavit? Pius, inquies, Papa quartus. Et cur ille potius quam Episcopus Toletanus? qua enim potestate, quo exemplo primitivæ Ecclesiæ, quo jure hæc facit? An ita Petrus, Linus, Cletus, Clemens, edictis suis orbem terrarum cõmoverunt? Fuit hoc semper, salvis rebus, jus Imperatorum Romanorũ propriũ. Nunc autem postquam imminutæ sunt vires Imperij, & regna in partem Cæsareæ potestatis successerũt, ea potestas cõmunicata est cum Principibus & Regibus Christianis. Scrutare annales, collige memorias vetustatis. Invenies antiquissima Concilia, Nicenũ, Ephesinum, Chalcedonẽse, Constantinopolitanũ ab Imperatoribus Romanis, Constantino, Theodosio primo, Theodosiò secundo, Martiano indicta fuisse, nõ à Romanis Pontificibus. 7

Leo Pontifex, satis alioqui sui amans, & nulla in re negligens authoritatem sedis suæ Mauritium Imperatorẽ suppliciter oravit, ut Concilium indiceret intra Italiam: quòd ille tum locus ei negotio convenire maximè videretur; Supplicant, inquit, omnes Sacerdotes mansuetudini vestræ, ut generalem Synodum jubeatis intra Italiã celebrari. At Imperator Concilium illud non intra Italiam, quod Pontifex maximè contendebat, sed Chalcedonẽ in Bethyniam jussit convocari: ut ostenderet jus illud suum esse, & ad se unum pertinere. Et cùm Ruffinus in illa concertatione, quam habuit cum Hieronymo, allegasset Synodũ; doce, inquit Hieronymus, quis Imperator eã jusserit convocari. Non putabat D. Hieronymus satis firmam esse authoritatem Concilij generalis, nisi illud Imperator coegisset. Ego verò non id quæro, quis Imperator Episcopos hoc tẽpore jusserit Tridentum evocari: sed Papa, qui tantum sibi sumpsit, quocum Imperatore de habendo Concilio deliberaverit, quem Regem aut Principem Christianum conscium fecerit voluntatis suæ. In jus alterius per fraudẽ aut vim irrumpere, quódq; alienum sit, id sibi tanquã suum usurpare, injurium est. Abutiautem clemẽtiâ Principum, illisque tanquã servis suis imperare, insignis est, & non ferenda contumelia. Nos autem obsequio nostro velle tantã injuriam, & contumeliã confirmare, non minùs magna esset injuria. Quare si hoc tantùm diceremus, Conciliũ istud vestrum Tridentinum non esse legitimè convocatum, nihil à Papa Pio ritè atque ordine esse factum, nemo posset absentiam nostram satis justè reprehendere. 8

Mitte quibus nos injurijs à Romanis Pontificibus affecti simus. Illos quoties libuit, populum nostrum in Principẽ armavisse: Illos Regibus nostris scepta de manibus, & diadema de capite detraxisse: Illos Regnum Angliæ suum esse, & suo nomine possideri, & Reges nostros suo beneficio regnare voluisse: Illos proximis istis annis modò Gallum in nos, modò Cæsarem cõmovisse, quid autẽ Pius iste de nobis consilij ceperit, quid egerit, quid dixerit, quid molitus, quid minatus sit, nihil opus est cõmemorare. Facta enim ejus, dictáq; non ita tecta sunt, & recondita, quin intelligi utcúq; possit, quid velit. Quibus autem ille rationibus Pontifex factus fuerit, quibúsque quasi gradibus ad illam tantam dignitatẽ ascẽderit, nihil dico. Non dico illum corruptis Cardinalibus, emptis suffragijs, mercede ac pretio per cuniculos & insidias ad Põtificatum aspirasse. Nõ dico illum nuper admodum, cum solvẽdo non esset, Cardinalem Caraffam, cujus ope reliquorum Cardinalium suffragia collegerat cuique eo nomine debebat magnam vim auri, vinctum in carcere interfecisse. Ista aliaque complura vobis relinquo potiùs, qui ea & propriùs videtis, & melius intelligitis. An ergo tu nos ad hominẽ sanguinariũ, ad mercatorem suffragiorũ, aliarii alieni negatorem, 9

rem, ad Simoniacum, ad hæreticum miraris non venire? Non est prudentis (mihi crede) velle se conijcere in sedem pestelentiæ, & cum hostibus Religionis velle de Religione consilium capere. Ad infames (inquit quidam) vetuit me mater accedere. Ioannes Apostolus non est ausus in eodem balneo sedere, & unà lavare cum Olympio, ne unà cum illo fulmine de cœlo feriretur. Non sedi, inquit David, in consilio vanitatis, & cum iniqua agentibus non introibo.

10 Sed esto: sit hoc jus Papæ propriũ: possit convocare Concilia: possit terrarum orbi imperare: sint ea falsa & vana que diximus de potestate Cæsaris & jure Regio: sit Pius Papa vir bonus, sit rectè, sit legitimè factus Pontifex: nullius vitam petiverit, Caraffam in carcere non occiderit: tamen Concilia æquum est esse libera, ut adsit, qui velit, cui adesse non sit commodum, abesse liceat. Ea olim melioribus æquitas & moderatio servabatur. Non ita tum serviliter cogebãtur Principes, ut si quis fortè manfilset domi, aut Legatos ad Conciliũ non misisset, statim omnium digitis atq; oculis notaretur. In Concilio Niceno, in Ephesino, in Constantinopolitano, in Chalcedonẽsi, quæso te, quis exploratur observavit, qui abesset? Atqui nullus tum adfuit Legatus, nec ex Anglia, nec è Scotia, nec è Polonia, nec ex Hispania, nec è Pãnonijs, nec è Dania, nec ex tota Germania. Vide, lege, recognosce subscriptiones: invenies ita rem habere, ut dico. Et cur non miraris Anglis, tum ad illa Cõcilia ita plena, ita præclara, ita celebria, ita frequentia, non venisse? Aut Episcopos Romanos ita tum fuisse patientes, ut illos non condemnarent contumaciæ? Verùm nõdum creverat ista Tyrãnis Pontificia: fas tum erat Sanctis Episcopis & patribus pro suo commodo sine fraude manere domi. Paulus Apostolus noluit sese dare in Concilium Hierosolymitanum sed potiùs appellavit ad Cæsarem. Athanasius Episcopus, quamvis vocaretur ab Imperatore ad conciliũ Cæsariense, tamen venire noluit. Idem in Concilio Syrmiano, cum rem videret inclinare ad Arrianos, statim subduxit se, atq; abijt: ejusque exemplum sequuti Episcopi Occidẽtis ad illud Conciliũ venire recusarunt. Iohannes Chrysostomus ad Concilium Arrianorũ non accessit, quamvis ab Imperatore Constãtio & literis & nuntijs vocaretur. Cum Arrianorum Episcopi in Palestina cõvenissent, & maximam partem suffragiorum secum traherẽt, Paphnutius senex, & Maximus Hierosolymorũ Episcopus unà è medio convẽtu discesserũt Cyrillus Episcopus à Patropasßianorũ Concilio appellavit. Paulinus Episcopus Trevirẽsis venire noluit ad Conciliũ Mediolanense, quod videret propter gratiam & potentiã Imperatoris Constantij, omnia ruere ad Auxentiũ Arrianũ. Episcopi qui ad Conciliũ Constantinopolitanũ convenerant ad Concilium Romanũ, quò vocabantur, venire noluerunt Quod tamen illis fraudi non fuit, quamvis Imperatoris literis vocarẽtur. Satis ea tum justa excusatio esse videbatur, quòd Ecclesiarũ suarũ curæ, atque instaurationi studendũ esset. Quamvis viderent Arrianos per omnes jam Ecclesias grassari, & ad minuendã illorum rabiẽ magnũ pondus habituram esse præsentiã suam.

11 Quid si idem illud Episcopi nunc nostri responderent, non esse otium à sacro Ministerio, sese prorsus occupatos esse in restituendis Ecclesijs suis: non posse abesse domo quinque, sex, septem annos, ibi præsertim, ubi nihil possint promovere? non enim ita otiosi sunt Episcopi nostri, ut sunt qui Romæ delitiantur in palatijs, & sectantur Cardinales, & venantur sacerdotia. Ita enim miserè perditæ sunt ab istis, atque eversæ Ecclesiæ nostræ, ut nec parvo tempore, nec mediocri diligentia possint instaurari. Nunc autem apertè videmus obsideri ab istis nostra tempora, ut cum minimè necesse sit, foras distrahamur, & nec domi propagare possimus Evangelium, & in Concilio ab ipsis impediamur.

Simulat

Simulat enim Papa, ne neſcias: non cogitat Concilium: neque enim tu illum quicquam putes ſincerè, & verè agere. Qui neſcit ſimulare (dicere ſolebat olim Rex Ludovicus undecimus Carolo octavo) neſcit regnare: multo verò magis, qui neſcit diſſimulare, & conſilia ſua vultu tegere, ut nunc quidem eſt, neſcit agere Pontificem. Illa enim ſedes tota meræ nititur Hypocriſi: quæ quo minùs habet nativi roboris, eo pluribus coloribus opus habet. Nam ſi putabant Pontifices, tantum eſſe vim Concilii generalis ad tollenda Schiſmata, cur illi rem tam neceſſariam tam diu diſtulerunt? cur triginta totos annos quieuerunt, & Lutheri doctrinam radices agere pertulerunt? Cur Concilium non primo quoq; tempore indixerunt? Cur Synodum Tridentinam reluctantes & inviti, magiſq; Imperatoris Caroli impulſu, quàm ſua voluntate convocarunt? Cúmque Tridenti decem propè annos verſarentur, cur tanta deliberatione nihil egerunt? cur rem infectam reliquerunt? Quis impediebat? quis obſtabat? Crede hoc mihi, mi frater, non agunt id nunc Pontifices, ut Concilium celebretur, aut Religio Dei reſtituatur, quam illi prorſus habent pro ludibrio. Id agunt, id quærunt, id pugnant, ut magnifica expectatione Concilii generalis hominum piorum animos, atque orbem terrarum ludificentur. 11

Vident jamdudum immiuui, & ruere opes ſuas: artes ſuas non eſſe nunc eodem loco, quo fuerunt olim. incredibilem numerũ hominũ in dies ſingulos à ſe dilabi: non eſſe nunc, qui tantâ frequentiâ currant Romam: non eſſe, qui Indulgentias, interdictiones, benedictiones, abſolutiones, & inanes bullas, *aut* tanti *faciant, aut* tanti *emant.* Ceremoniarũ ſuarum, & Miſſarum nundinas; *& omnem illum* fucum meretricium, *non* magni *fieri; magnam partem* tyrannidis, *&* pompæ *juæ concidiſſe:* reditus ſuos anguſtiores *nunc eſſe, quàm ſalebant*; ſeſe, ſuóſque rideri *paſſim à pueris: omnino in diſcrimen veniſſe ſummam rerum. Nec mirum, ſi ea corruant, quæ nullis radicibus ſuſtinebantur. Extinxit illa omnia ſalvator noſter* IESUS CHRISTUS, *non armis, aut vi militum, ſed Cœleſti impulſu, & ſpiritu oris ſui: conſumet autem, atque abolebit claritate adventus ſui: Hæc eſt vis verbi Dei, hæc eſt poteſtas Euangelii; hæc ſunt arma, quibus evertitur omnis munitio, quæ ædificata eſt adverſus cognitionẽ Dei. Prædicabitur hæc doctrina invitis omnibus, per univerſum orbem. Portæ inferorum non prevalebunt adverſus eam. Frigent nunc Romæ tabernæ meritoriæ: illorũ merces (quaſi bona Proſennæ venirent) viliſimo pretio proſcribuntur. Et vix quiſquã eſt, qui velit emere. Circuit mercator Indulgentiarius, et fatuos non invenit. Hoc illud eſt, hinc illæ lachrymæ, hæc res Pontifices malè habet. Vident hanc tantã lucem ex una ſcintilla erupiſſe. Quid nunc futurum, poſtquã tot ignes ubiq; terrarũ aſcenſi ſunt, & tot Reges & Principes Chriſtiani agnoſcunt, & profitentur Euangeliũ? Non enim illi* IESU CHRISTO *ſerviunt, ſed ſuo ventri. Aiunt Carneadẽ Philoſophũ, cum olim eſſet Romæ, & memorabilem illam haberet orationem contra Juſtitiã, inter alia hoc etiam addidiſſe:* Eam virtutem, ſi quidem ea virtus eſſet, nulli hominum generi minùs ex uſu fore, quam Romanis. Illos enim per vim, & latrocinium regna ſibi aliena ſubegiſſe, pérque ſummam injuſtitiam ad imperium orbis terrarum perveniſſe. Quod ſi nunc tandem velint Iuſtitiam colere, reſtituenda eſſe illa omnia, quę injuſtè teneant: ad caſas paſtoritias, & frigida tuguria, quę ſola habuerant ab initio, eſſe redeundum. *Ita prorſus iſti, ſi verè velint agere, & ſimulationem ponere, & officiũ facere, & ſuum cuiq; reddere, vident ſibi redeundum eſſe ad virgam & peram, ad ſobrietatem, & modeſtiam, ad labores, ad munus Epiſcopi. Audiverunt enim Auguſtinũ dicere,* Epiſcopum nomen eſſe operis, non honoris: 12

honoris: & illos non esse Episcopos, qui velint, praesse, & non prodesse. Itaque istud Euangelium latiùs diffundi, & ad plures propagari, vident, nulli hominu generi minùs expedire, quàm sibi: se enim salvos esse non posse, si sani esse velint. Ergo nunc tumultuantur, & turbant omnia, ut olim Demetrius faber, postquam vidit sibi perisse spem lucri. Ergo nunc Concilia indicuntur, & Abbates atque Episcopi ad partes advocantur. Haec enim illis ratio visa est callidissima, ut tempus in aliquot annos protraheretur, ut hominum animi expectatione suspenderentur: multa, ut fit, posse intervenire: bellum posse excitari: aliquem ex istis principibus posse mori: istos tantos impetu ad Euangelium diuturnitate posse obtundi: languere posse hominum voluntates. Interea, inquit quidam, fiet aliquid, spero.

14 Olim cum (victis ac triumphatis Persis) Athenienses moenia sua, quae illi solo aequaverant, capissent instaurare, & Lacedemonii, quo magis haberent eos in potestate, ne id facerent, magnopere edixissent: Themistocles dux Athenensis, vir prudens, cum videret salutem patriae suae venire posse in periculum, pollicitus est sese venturum Lacedaemona, & de eare velle cum ipsis unà deliberare. Ille ubi se dedisset in viam, quò tempus eximeret, primùm morbum simulavit, ut diutiùs haereret in itinere: Deinde cum venisset Lacedaemona, multa de industria frustrari coepit, modò pacta non placere: modò deliberationem petere: modò socios legationis, sine quibus nihil agi posset, expectare: modo legatos Athenas mittere. Interea, dum ille cunctatur, Athenienses clauserant moenibus civitatem, & si vis fieret, sese paraverant ad defendendum. Itaisti, dum diem de die proferunt, & rem omnem referri volunt ad Concilia, aedificant interea sua moenia, nobis otiosis, & nescio quid expectantibus, ut ad extremum, confirmatis suis rationibus, nos prorsus excludant, & neque Concilium haberi, neque quicquam omnino agi possit.

15 Operae pretium enim est videre istorũ artes, & stratagemata; quoties indicta Concilia non cojuerint; quoties exiguus rumusculus universũ apparatũ, & omnẽ expectationẽ disturbarit; quoties patres in medio itinere repentè substiterint: quoties purpurati Amphictyones è medio conventu, re infectâ, dilapsi sint domũ, & proximum actùm in nonum, decimumq; annũ distulerint? quoties Cœlũ, quoties annona, quoties locus, quoties tempus non placuerit? Pontifex enim solus convocat Concilia, & solus dimittit, cùm vult. Si quid non placuit, aut si res non rectè ire cœpit, statim auditur: valete, & plaudite. Indicitur Conciliũ Basileã: convenitur undiq; magno numero, agitur seriò de rebus multis: Eugenius Papa ut Simoniacus & Schismaticus omnibus suffragiis condemnatur: in ejus locum Amideus dux Sabaudiae surrogatur. Accipit id indignè, ut debuit, Eugenius: rem eam pessimi exempli esse ad posteros: potestatẽ, et vim suam longè esse super omnia Concilia: Non posse Conciliũ nec convenire, nisi jussu suo: nec decernere quicquã, nisi quantũ ipse velit. Impium esse in convẽticulo Episcoporũ inquisitionẽ fieri de vita sua. Non mora, Concilium Ferrarã revocat in Italiã, pòst idem transfert Florentiã. Quid hoc, quaeso, rei est? An putabat Eugenius Papa cœlũ animos mutare, aut Spiritũ sanctum prudentiùs in Italia responsurũ esse, quàm antea responderat in Germania? Imò verò, ille tot illis mutationibus non Christũ quaerebat, sed suum commodum. Videbat in Germania Imperatorẽ Sigismundum inimicum suum, nimium et authoritate valere & gratiâ. Et patres illos, qui Basileam convenerant, si ex illis duris & asperis regionibus migrassent in Italiã (ut arbores cùm transplãtantur) fieri posse mitiores. Nam (ô Deũ immortalẽ!) non id nunc agitur, aut quaeritur in Conciliis, aut ut veritas inveniatur, aut ut mendacia refutentur. Hoc solum semper fuit proximis istis

seculis

ſæculis ſtudium Pontificum in Conciliis, ut Tyrannis Romana, *conſtitueretur. ut* Bella *ſuſciperentur* : *ut* Principes Chriſtiani inter ſe committerentur : *ut* pecunia colligeretur, *modò in terram ſanctam, modò in fabricam Petri, modò in neſcio quos uſus, ſeu veriùs abuſus alios* : *quæ tota in paucos quoſdam ventres, in luxum & libidinem conjeceretur. Atque hæc unica fuit aliquot jam ſecula* ratio Conciliorum. *Nam de erroribus & abuſibus, quaſi nulli eſſent, nihil unquam agi potuit.*

Petrus Alliacenſis in Conſtantienſi Concilio multùm quæſtus eſt de avaritia, & 16
inſolentiâ curiæ Romanæ. *At quid promovit? quæ unquam pars illorum avaritiæ aut inſolentiæ Concilii authoritate repreſſa eſt? Idem ait feſtos dies, & otioſorum Monachorum greges ſibi videri minuendos : & alius quiſpiam (in opere quodam, quod apellatur tripartitum, & adjunctum eſt ad Concilium Lateranum) totus, inquit, fere mundus obloquitur, et ſcandalizatur de tanta multitudine religioſorum pauperum. Et patres in Concilio Lateranenſi,* Firmiter, *inquiunt,* præcipimus, ne quis de cetero novam religionem inveniat. *Ex eo tempore quid de feſtis diebus factum ſit, neſcio : probabile tamen eſt, nihil eſſe imminutum : At Monachorum ordines aucti etiam ſunt in infinitum. Nam à proximis Pontificibus additi ſunt Jeſuitæ, Cappuchini, Theatini: quaſi pigrorũ ventrum nondum etiam eſſet ſatis. Johannes Gerſon, Cancellarius Pariſienſis, in Concilio Conſtantienſi obtulit patribus* ſeptuaginta quinq; abuſus in Eccleſia Romana, quos vehementer cuperet emendatos. *At ex tanto numero, quem illi unum abuſum unquam ſuſtulerunt? Joannes Picus Mirandula ſcribit ad Leonem Papam, ut* minuat inanes ceremonias, & coerceat luxum ſacerdotum. *Sederunt poſtea Epiſcopi magna frequentia, & magna expectatione in Concilio Laterano. At quam unam ceremoniam imminuerant, in quo uno ſacerdote luxum & nequitiam damnaverunt? Mantuanus poëta queritur nominatim de* moribus Eccleſiæ Romanæ : *Bernardus Abbas ita ſcribit at Eugenium Papam :* Aula tua recipit bonos, non facit, mali ibi proficiunt, boni deficiunt. *Et de miſerabili ſtatu Eccleſiæ, qui tum erat;* A planta, *inquit,* pedis uſque ad verticem capitis non eſt in ea ſanitas. *Et rurſus* Vbi eſt, *inquit,* qui prædicet annum acceptabilem Domini? Non cuſtodiunt, *inquit,* hoc tempore ſponſam CHRISTI, ſed perdunt : non paſcunt gregem Domini, ſed mactant, & devorant. *Adrianus Papa ſextus, cum Legatum mitteret in Germaniam, ingenuè, & vere faßus eſt* corruptiſſimũ eſſe ſtatum univerſi cleri. Omnes, *inquit,* nos Prælati Eccleſiaſtici declinavimus, unuſquiſque in viam ſuam, nec eſt jam qui faciat bonum, non eſt uſque ad unum. *Albertus Pighius fatetur* in ipſa Miſſa, *quam illi ſacroſanctam eſſe volunt, & in quo vna Cardinem religionis Chriſtianæ conſtituunt,* abuſus & errores inveniri. *Quid plura? mitto alios teſtes; ſunt enim infiniti. Habita ſunt poſtea Concilia complura convocati ſũt Epiſcopi, Synodus Baſilienſis indicta eſt nominatũ, uti illi tum præſe ferebant, de reformatione totius Cleri: At ex eo tempore errores vbique aucti ſunt. vitia etiam ſacerdotum conduplicata ſunt.*

Cardinales à Paulo Papa tertio delecti ad conſiderandum ſtatum Eccleſiæ, renuntiarunt, multa eſſe in eâ, & præſertim in Epiſcoporum & Clericorum moribus vitioſa. Epiſcopos otioſos eſſe, non docere populum, non paſcere gregem, non curare Vineam : varſari in aulis Principum, abeſſe domo : Cardinalibus Epiſcopatus, modò ternos, modò quaternos commendari, idque magno cum Eccleſiæ detrimẽto fieri: illa enim officia non eſſe (*vti loquuntur*) 17

tur) compatibilia. Conventuales ordines prorsus ex Ecclesia tollendos esse. *Postea habitum est Concilium Tridenti: sed an Episcopi cœperunt ex eo tempore pascere gregem? an desierunt, aut abesse domo, aut versari in aulis Principum? an Cardinales desierunt esse Episcopi? aut prospectum est, ne quid Ecclesia ex ea re detrimenti caperet? an imminuti sunt ordines conventuales? an religio apud eos est emendatior? quid ergo necesse fuit tot Episcopos tam procul convocari, aut de emendanda Ecclesia tot annos frustra deliberari? hoc scilicet illud est, Pharisæos restituere velle Templum Dei.*

18 *Fatentur errores & abusus: convocant Concilia, simulant studium religionis & pietatis, pollicentur operam & industriam, quicquid collapsum est id omne se velle unà nobiscum instaurare; sic scilicet, ut olim hostes populi Dei dicebant,* se velle unà cum Nehemia ædificare Templum Domini. *Non enim illi id quærebant, ut Templum Domini ædificarent, sed ut quàm maximè possent ædificationem impedirent. Redire volunt nobiscum in gratiam, sed ita, ut olim Naas tyrannus cum Iudæis Iabensibus, non alia lege, quàm ut sinamus nobis exculpi dextros oculos: hoc est, ut verbum Dei, & Evangelium salutis nostræ nobis eripi patiamur.*

19 *An enim illius curæ est religio? an illi curant* Ecclesiam Dei; *quibus nec Dei vindicta, nec salus populi, nec ulla pars officij sui unquam curæ fuit? Pan, inquiunt curet oves, ipsi interim belligerantur, venantur, obsonantur: ut ne quid dicam fœdius. O Deum immortalem! quis istos putet unquã de Ecclesia Dei, aut de religione cogitare! quando isti, aut quos errores unquam tollent? quam lucem nobis restituent? quicquid dicas, etiam si solem ipsum geras in manibus, tamen videre nolunt: manifestos errores, quantum possunt, excusant, pingunt, comunt, ut olim Symmachus, aut Porphyrius errores, & ineptias Ethnicorum: omninóque id agunt, ne populum Dei in fraudem induxisse, néve quid ipsi unquam errasse videantur. Aut si quid in animum inducunt emendare, quod aut nunquam, aut valdè rarò & perparcè faciunt; ut olim Alexandrum Imperatorem Romanum, quum non prorsus abhorreret à religione Christiana, aiunt, eodem Sacrario, & Christum coluisse, & Orpheum: utq; veteres olim Samaritani unà & veri Dei cultum retinuerunt, & cultum Idolorũ: ita illi, ea lege recipere volunt partem fortè aliquam Evangelij, ut unà superstitiones & aniles errores admittant: ita recipiunt vera, ut falsa retineant: ita probant nostra, ut sua non improbent. Atque ita non tollunt abusus, sed colorant: & veteres columnas novo tantùm tectorio inducunt.*

20 *Ad hunc modum ab istis Ecclesia Dei emendatur, sic conventus & Concilia celebrantur: veritati non serviter, sed affectibus. Melior pars à majore superatur. Pulchrum quidem & glorioſum est nomẽ ipsum Concilij generalis; sed ex pulchro calice sæpe venenũ propinatur. Non enim satis est Episcopos aliquot & Abbates unum in locũ convenisse: non in mitrâ, aut purpurâ sita est vis Concilij, nec quicquid Concilium decrevit statim habendũ est pro oraculo. Concilium erat, de quo Propheta Esaias scribit;* Væ filijs defectoribus, *dicit* Dominus, qui cogunt Concilium, & non ex me: &, in te, *inquit,* Concilium, & dissipabitur. *Concilium erat, de quo Propheta David ita loquitur;* Excitati sunt Reges terræ, & Principes convenerunt in vnum adversus Dominum, & adversus Christum ejus. *Concilium erat, quod filium Dei* Iesum Christum *damnavit ad crucem. Concilium erat, quod Carthagini celebratum est sub Cypriano, in quo decretum est, baptizatos ab hæreticis, quum redissent ad Ecclesiam, esse rebaptizandos: quem errorem oportuit postea tot Concilijs, & patrum scriptis revocari. Et quid multis opus est? Concilium*

Ephesinum

Epheſinum ſecundum apertè fecit pro Eutychete ; humanam in Chriſto naturam converſam eſſe in divinitatem: Concilium Nicenum ſecundum decreuit manifeſtã Idololatriam de adoratione ſtatuarum. Conſilium Baſilienſe, ut Albertus Pighius ait, decreuit contra omnem antiquitatem, cõtra naturam, contra rationem, contra verbum Dei. *Conſilium Ariminenſe impiè decreuit pro Arrianis, Chriſtum non eſſe Deum. Alia Concilia deinceps multa, Smyrnenſe, Aerium, Seleucianum, Syrmianum, & Homouſianos condemnaverunt, & Ariminenſis Conſilij impietati ſubſcripſerunt. Quid quæris? ipſum etiam Concilium Chalcedonenſe, quod unum erat ex illis quatuor, quæ Gregorius cum quatuor Evangelijs comparavit, Leo Papa non dubitavit accuſare temeritatis.*

Itaque videmus, Concilia Concilijs ſæpe contraria extitiſſe; utque Leo Pontifex 21
acta Juſtulit Adriani, Stephanus Formoſi, Ioannes Stephani. utq; Sabinianus Papa, Omnia ſcripta Gregorij Papæ, ut perverſa & impia juſsit cõburi. *ita videmus Concilium poſterius ſæpe omnia ſuperiorũ Conſilij decreta ſuſtuliſſe. Carthaginenſe Concilium decreuit,* ne Romanus Epiſcopus appellaretur, aut ſummus ſacerdos aut princeps ſacerdotum, aut aliud quippiam ſimile. *At poſtera Concilia, illum non tantum* ſummum ſacerdotem, *ſed etiam* ſummũ Pontificem, & caput univerſalis Eccleſiæ appellaverunt. *Eliberium Conſilium decreuit,* no quid, quod colitur jus fáſque eſſet, ut in templorum parietibus pingeretur. *Conſilium Conſtantinopolitanum decreuit,* imagines non eſſe ferendas in Templis Chriſtianorum. *Contrà, Concilium Nicenum ſecundum,* imagines in templis non tantũ ponendas eſſe cenſuit, ſed etiã adorandas. *Lateranenſe Concilium ſub Iulio Papa ſecundo, non alia cauſa indictum eſt, quam ut Piſani Concilij decreta reſcinderet. Ita Epiſcopi ſæpè poſteriores prioribus adverſantur, & Concilia alia aliorum luminibus obſtruunt. Iſti enim ne ſuis quidem Cõcilijs teneri volunt, niſi quantum placet, quantumque commodum eſt, & facit* φὶ τὰ ἄλλοτρια. *Baſilienſe Concilium decreuit,* Conſilium Epiſcoporum eſſe ſupra Papam. *At Cõcilium Lateranenſe ſub Leone decreuit,* Papã eſſe ſupra Conſilium. *Papa verò non ſolùm ita ſe gerit, ſed etiam* ſi quis contra ſentiat, eum habere jubet pro hæretico. *Atqui omnes Epiſcopi & Abbates in Cõcilio Baſilienſi,* ſi quis, *inquiunt,* iſtis veritatibus ſeſe opponit, pro hæretico habendus eſt. *Obſecro te, quid tu hìc facias? quicquid dicas, aut ſentias, vel Papa te, vel Cõcilium habebit pro hæretico. Omnes autem Papæ, aliquot jam ſeculis, ſeſe iſtis Baſilienſis Cõcilij veritatibus oppoſuerunt: ergo judicio Baſilienſis Concilij, aliquot jam ſæcula omnes Papæ fuerũt hæretici. Idem Concilium omnibus ſuffragiis ſummovit Papã Eugeniũ, hominem Simoniacũ, & ſchiſmaticum, & illi ſucceſſorem dedit Amideum. At Eugenius Papa Concilij decretũ flocci fecit, & quamvis maximè eſſet Simoniacus & Schiſmaticus, tamẽ non deſijt eſſe ſucceſſor Petri, & Vicarius Chriſti, & caput univerſæ Eccleſiæ Dei. & inuitis omnibus dignitatem priorem retinebat, utque antea ſolitus fuerat, in cervicibus hominum nobilium ſublimis manificè ferebatur. Amideus autem homo ſimplex, quaſi ex equo delapſus, humi pedibus ambulabat. ſatiſque ſibi beatus eſſe videbatur, quòd de Papa factus eſſe Cardinalis. Concilium proximum Tridentinum edixit, ut Epiſcõpi docerent populum, neve quiſquam unus duo, plurave ſacerdotia haberet eodẽ tempore: iſti contra edictum Concilij ſui cumulant ſacerdotia, & nihil docent. Ita ſcribunt leges, quibus ipſi teneri nolint, niſi quum lubet. Tanti ſcilicet ſemper fecerunt Concilia, & decreta ſua.*

Nunc verò quid eſt, cur eventum ſperemus hoc tempore meliorem? qua enim 22

gratia, qua expectatione, qua ſpe venitur in Concilium? Hoc enim tantum tecum cogita, quinam tandem homines illi ſint, quorũ fide, doctrina, judicio, moles totius Concilii & omnium iſtarum quæſtionum diſceptatio, et ſumma rerum niti debeat? Abbates quidẽ appellantur, et Epiſcopi, graves perſonæ, et pulchra nomina: utq; exiſtimatur, magni inſtar momenti in adminiſtranda Eccleſia Dei. At ſi illis nomina tantum ea, & perſonam, & veſtem tollas, nihil habent aliud nec Abbatũ, nec Epiſcopi ſimile. Non enim ſunt miniſtri Chriſti non diſpenſatores myſteriorũ Dei, non incumbunt lectioni, non docent Evangelium, non paſcunt gregem, non colunt terram, non plantant vineam, non accendunt ignem, non portant arcam Domini, non obeunt legationẽ pro Chriſto; non vigilant, non faciunt opus Evangeliſtæ, non implent miniſterium ſuũ: implicant ſe negotiis ſecularibus: abſcondunt theſaurum Domini ſui, auferunt Claves regni Dei; non ingrediuntur ipſi, nec alios ingredi patiuntur, pulſant conſervos ſuos, paſcunt ſeipſos, gregem non paſcunt: dormiunt ſtertunt, convivantur, luxuriantur: nubes ſine aqua, ſtellæ ſine luce, canes muti, ventres pigri: utq; Bernardus ait, non Prælati, ſed Pilati, non Doctores, ſed Seductores, non Paſtores ſed impoſtores, ſervi, *inquit*, Chriſti, ſerviunt Antichriſto. *Iſtis ſolis Pontifices volunt locum eſſe, & ſuffragandi poteſtatem in Concilio: in iſtorũ judicio ac poteſtate verſari volunt curam, & procurationem univerſæ Eccleſiæ Chriſti: iſtos nunc ſolos Pius Papa delegit ad ſpem ſuam. At quos (ô Deus bone!) homines, quales viros? quanquam, ut ipſi quidem putant, ridiculum eſt, velle hoc quærere. Quàm enim docti, quámq; pii ſint, quid velint, quid ſentiant, inquiunt, nihil refert. Satis vid licet eſt, ſi ſedere poßint in mula, & magna pompa, & ſtrepitu vehi per publicũ, et venire in Concilium, et nihil dicere. Si mihi fortè non credis, ac me potiùs putas animi cauſà iſta fingere: audi ergo judicium Honorarium, quid ea de re ſacroſancta facultas, & Sorbona tota decreverit. Quod magiſtri, inquiunt, noſtri, dicunt de legitima congregatione,* notandũ eſt ad hoc, ut Concilium legitimè congregetur, ſufficere quòd ſolemnitas, & forma juris ſolemniter ſit ſervata. Quia ſi quis trahere vellet hoc in diſputationem, utrum Prælati, qui ibi ſedent, habeant rectam intentionem, & utrum ſint docti, & utrum habeant ſcientiam ſacrarun literarum, & animum obediendi ſanæ doctrinæ, eſſet proceſſus in infinitum. *Iſti videlicet, qui tanquam Mercuriales ſtatuæ muti ſedeant, & quid ſit religio prorſus neſciant, de univerſa religione rectè & commodè reſpondebunt, & quicquid dicunt, errare non queunt.*

23 *Iſtos omnes Pontifex habet, non tantum errore & ignorantia, ſed etiam jurejurando, & religione obſtrictos ſibi: ut etiamſi rectè ſentiant, tamen niſi periuri eſſe velint, quod ſentiunt pronunciare, & veritatem palam profiteri, & præ ſe ferre non poßint: prorſus, ut vel homini fides fallenda ſit, vel Deo. Sic enim omnes jurant conceptis verbis.* Ego N. Epiſcopus ab hac hora in antea fideles ero ſancto Petro, ſanctæq; Apoſtolicæ Romanæ Eccleſiæ, Domino meo Papæ N. ejúſque ſucceſſoribus Canonicè intrantibus: Non ero, neq; in conſilio, neq; in facto, ut vitam perdat, aut membrum; vel capiatur mala captione. Conſilium, quod mihi, aut per literas, aut per Nuncium manifeſtabit, ad ejus damnum nulli pandam. Papatũ Romanæ Eccleſiæ, & regulas ſanctorum patrum adjutor ero ad defendendum, & retinendum contra omnes homines. *Olim, quum ſacerdotes Apollinis Pithii apertè loquerentur in gratiam Philippi Regis, erant qui facetè dicerent, Pythium cæpiſſe* φιλιππίζειν. *Nos verò nunc, cum perſpicuè videamus nihil in Concilio decerni, niſi de voluntate et nutu Papæ, cur*

non

non dicamus, Conciliorum Oracula ναὶ ναὶ, id est, tantum dicere, quantum Papa velit. Prudenter olim Verres, quem aiunt, quum multis criminibus non obscurè teneretur, noluisse existimationem & famam suam committere, nisi hominibus bene fidis de grege, & cohorte sua. Multo autem prudentiùs Pontifices, qui illos sibi judices dari volunt, quos sciunt nec velle, quia rationes habent conjunctas, omnia autem voluptatibus & ventre metiuntur; nec quia jam jurati sunt, quamvis velint, posse quicquam statuere præter voluntatem suam. Collocant illi quidem in medio sacra Biblia, quæ spectant eminùs, non legunt, quasi contra illorum præscriptum nihil facturi. Re autem vera secum ipsi adferunt præjudicatam sententiam. nec attendunt quid Christus dicat, nec statuunt quicquam, nisi quod lubet.

Itaq; libertas illa, quam oportuit esse in omnibus consultationibus, maximè verò 24
de rebus sacris, quæq; maximè convenit Spiritui sancto, et modestiæ hominum Christianorum, prorsus jam de medio sublata est. Paulus ait, si alteri assidenti revela- 1 Cor. 14. 30
tum fuerit, prior taceat: isti verò comprehendi jubent, & in carcerem detrudi, & ignibus mandari, si quis quicquam contrà mutiat. Testis adhuc est crudelis interitus duorum sanctißimorũ hominũ, & fortißimorum virorum, Iohannis Hus, & Hieronymi Pragensis; quos illi duos contra fidem publicam interfecerunt, & fidem Deo, hominibusq; fefellerunt. Sic impius Propheta Zedechias, cum aptasset sibi cornua ferrea, colaphum impegit Michææ Prophetæ Domini: & mène, inquit, reliquit Spiritus Domini, & accessit ad te? Itaq; nunc exclusis omnibus, soli regnant in Conciliis, & soli obtinent suffragia, atq; ita scribunt, et promulgant leges, ut olim Ephesii. Nemo (inquiunt illi) hîc vivat cæteris prudentior, nisi malit exul, atq; extorris vivere. Nostrorum enim isti hominum prorsus neminẽ audire volunt. Ante 10 annos in Concilio proximo Tridentino Legati Principum Germaniæ, & liberarũ Civitatum, qui eâ causâ venerant, ut audirentur, ab omni colloquio et cõventu excludebantur. Episcopi enim, et Abbates respõdebant, nolle se permittere liberam causæ cognitionẽ, nec velle controversias disceptari ex verbo Dei: nostrarũ autem partiũ homines nullo modo esse audiendos, nisi si vellent recantare: quod si nollent, non alia lege venturos esse in Conciliũ, quàm ut audirent condemnationem suam. Nam Iulius 3. in Brevi illo suo, quo Consiliũ indixit, publicè denunciavit, ut aut mutarent sententiã, aut causâ inauditâ condemnarẽtur pro hæreticis. Pius autẽ Papa quartus, is qui nunc instituit Consiliũ revocare, omnes eos, qui ab Ecclesiæ Romanæ authoritate discesserũt, id est, maximã partẽ orbis Christiani, nec visos unquã, nec auditos jam antea suo præjudicio pro hæreticis haberi jussit. Omnino, aiunt, idq; semper in omni sermone jactare solent, rectè habere sua omnia: se nihil, ne tantillum quidẽ de doctrina & religione sua mutatum velle. Albertus Pighius injussu Ecclesiæ Romanæ ait, ne apertissimæ quidem scripturæ credendũ esse. Hoc scilicet est Ecclesiam in integrum velle restituere? hoc est veritatem vellæ quærere? hæc illa est libertas Consiliorum, & moderatio?

Et quamvis hæc omnia sint iniquißima, & à ratione veterũ Conciliorum, & ab 25
hominum modestorũ deliberatione alienißima: illud tamen multò est iniquius, quòd cùm orbis jam terrarũ de Pontificis Romani ãbitione ac tyrannide conqueratur, & de instauranda Ecclesia Dei frustra sudari, & nihil agi judicet, nisi ille in ordinem redigatur: tamen omnia ad illum unum, tanquã ad æquißimũ disceptatorẽ, et judicem deferuntur. At ad quem (O Deus bone!) virum? mitto hostem veritatis, ambitiosum, avarum, superbum, suis etiam jam intolerabilem. Ad illum, inquam, judicium de universa religione deferri volunt, qui omnia sua dicta eodem numero &

loco

loco haberi jubet, quo voces ipſius Petri: qui ſi mille animas abducat ſecum ad inferos, tamen negat ſe eâ cauſâ poſſe à quoquam reprehendi: qui ait, ſe ex injuſtitia facere poſſe juſtitiam: Quem Camotenſis ait corrupiſſe ſcripturas, ut haberet plenitudinem poteſtatis. Quid plura? quem ipſius contubernales & ſatellites, Joachimus Abbas, Petrarcha, Marſilius Patavinus, Laurentius Valla, Hieronymus Savanarola non ambiguè pronunciarunt eſſe Antichriſtum. Hujus uniius judicio ac voluntati omnia ſubjiciunt, ut idem reus ſit, idémque judex: ut accuſatores ex inferiori loco audiantur, reus autem ſedeat ſublimis pro tribunalibus, & ipſe de ſe pronunciet. Has enim leges tam æquas, támque rationi conſentientes ſcripſit nobis Papa Iulius. Nullum, *inquit*, ratum Conſilium eſt, aut erit unquam, quod Romanæ Eccleſiæ non fuerit authoritate fulcitum. *Bonifacius octavus*, omnem, *ait*, creaturam oportere ſubjectam eſſe Eccleſiæ Romanæ, ídque de neceſsitate ſalutis. *Et Paſchalis Papa*, quaſi, *inquit*, Romanæ Eccleſiæ legem Conſilia ulla præfixerint, cum omnia Conſilia per Romanæ Eccleſiæ authoritatem, & facta ſint, & robor acceperint, & in eorum ſtatutis Romani Pontificis authoritas patenter excipiatur. *Et alius quiſpiam*, quod Papa, *inquit*, approbat vel reprobat, nos approbare, vel reprobare debemus: Et quod Papa approbat, non licet alii improbare. *Et neſcio quis paraſitus, amiſſo pudore*, Etiamſi totus mundus ſententiet in aliquo contra Papam, tamẽ videtur quòd ſtandũ ſit ſententiæ Papæ. *Et alius quiſpiam non minùs impudenter*; Sacrilegij, *inquit*, inſtar eſſet, diſputare de facto Papæ, qui tametſi non ſit bonus, tamen ſemper præſumitur eſſe bonus. *Et alius etiam impudentiùs*, Papa, *inquit*, habet cæleſte arbitriũ: ergo in illis quæ vult, eſt illi pro ratione voluntas: nec eſt qui dicat illi, cur ita facis? *Utque alia complura, quæ huc adduci poſſunt, ſunt enim infinita, relinquam, & finem aliquando faciam; Innocentius Papa nonus, omnium impudentiſſimè*, Neque ab Auguſto, *inquit*, neque à Regibus, neque ab univerſo Clero, neq, à toto populo judex judicabitur. *O Deum immortalẽ! quantulum abeſt, ut hoc etiam dicant*: Aſcendam ſuper Aquilonem, & ero ſimilis altiſsimo? *Si iſta vera ſunt omnia, & Papæ nihil mentiti ſunt, quid opus eſt Concilio? Aut ſi Conſilium ſincerum & liberum habere volunt, tollantur iſta omnia, ut improba & ſuperba mendacia: nec tantum ex uſu & foro, verum etiam ex libris omnibus auferantur, ne ſumma rerum in uniu. hominis, ejúſque multis juſtiſſimis de cauſis ſuſpecti voluntate, ac libidine relinquatur. Atqui* Pontifices *aiunt*, ſe errare non poſſe, & ad præſcriptũ ſuum exigendum eſſe verbum Dei: *atque etiam antequã adeant ad dignitatem Pontificiã, jurantur in fidem recentium quorundã Conſiliorũ quibus omnia fœdum in modum ſunt depravata, & ſanctè promittunt* ſe nolle quicquam immutari. *Quare quid mirum eſt, ſi in Concilijs nihil proficitur, ſi errores & abuſus non tolluntur, ſi Legati Principum fruſtratã procul ex omnibus terris cõvocantur? Tamẽ audio eſſe quoſdã hoc tẽpore homines, non malos ſed parùm quid dicant, attendentes: qui quãvis arrogantiã in Pontifice, & faſtum Phariſæum, & Epicureum contẽptum religionis damnent, tamen ejus authoritatẽ ſalvã & incolumen eſſe velint: Et quãvis eum interdum fateantur eſſe Antichriſtum, tamen eundem, poſtquam ſemel aſcendit in illam ſedem, non dubitent eſſe Univerſalem Epiſcopum, & caput univerſæ Eccleſiæ Chriſti. Atque hìc ita triumphant, & ſibi placent, ac ſi Spiritus ſãctus affixus eſſet ad Molem Adriani.* At non locus ſanctificat hominem, *inquiunt*, ſed homo locum. *Et Hieronymus, quemadmodum citatur ab ipſis*, Non filij, *inquit*, ſanctorum ſunt, qui tenent

nent loca ſanctorum: ſed qui imitantur facta illorum. *Alioqui* CHRISTUS *ait*, in Cathedra Moſis ſediſſe ſcribas, & Phariſeos. authoritatem autem illorum monet tantiſper eſſe agnoſcendam, ſi reſpondeant ex verbo Dei. Quid aliud, *inquit Auguſtinus*, dixit Chriſtus, niſi per mercenarios vocem paſtoris audite? ſedendo enim in Cathedra legem Dei docent: ergo per illos docet Deus. Sua verò ſi illi docere velint, nolite audire, nolite facere. *Paulus etiam ait*, Antichriſtum, hominem illum peccati ſeſſurum eſſe in loco ſancto. *Itaque Hieronymus rectè monet*, Attendis, *inquit* Petrum, ſed & Iudam conſidera: Stephanum ſuſcipis, ſed & Nicholaum reſpice. Non facit Eccleſiaſtica dignitas Chriſtianum; *Hæc Hieronymus. Et certè aiunt* Marcellinum Papam ſacrificaſſe Idolis, Liberium Papam fuiſſe Arrianum: Ioannem Papam 22. impiè ſenſiſſe de immortalitate animarum: Ioannem Papam 8 fuiſſe fœminam, & Papatu inceſta libidine cum adulteris concubuiſſe, & in luſtranda civitate, in ipſa pompa atque in oculis Epiſcoporum & Cardinalium perperiſſe: *Et Liranus ait*, multos Pontifices Romanos à fide Chriſti deſeciſſe. *Quare non nimiùm fidendum erat locis & ſucceſſionibus, & inanibus titulis dignitatum. Impius Nero ſucceſſit Metello pio. Annas & Caiphas ſucceſſerunt Aaroni: & Idolum ſæpè ſucceſſit in locum Dei.*

Sed quænam, obſecro, eſt illa tanta vis & authoritas, de qua iſti ita inſolenter gloriantur? aut unde ad eos delata eſt? de cœlo, an ex hominibus? Chriſtus, *inquiunt*, ait Petro, ſuper hanc petram ædificabo Eccleſiam meam: his verbis authoritatem Pontificiam confirmari. Eccleſiam enim Chriſti in Petro, tanquam in fundamento collocari. *Atqui Chriſtus his verbis nihil Petro dedit ſeorſim à cæteris Apoſtolis. Neque aut Pontificis mentionem ullam facit, aut urbis Romæ. Chriſtus illa eſt* petra, *Chriſtus eſt* illud fundamentum. Nemo *inquit Paulus*, poteſt aliud fundamentum ponere, quàm quod jam antea, poſitum eſt, quod eſt Chriſtus Ieſus. 26

Et Auguſtinus, ſuper hanc Petram, *inquit*, ædificabo Eccleſiam meam: ſuper hanc, *inquit*, intelligitur, quam confeſſus eſt Petrus, dicens, tu es Chriſtus filius Dei vivi. Non enim, *inquit*, dictum eſt, Tu es petra, ſed tu es Petrus; petra autem erat Chriſtum. *Et* Divus Baſilius, ſuper hanc Petrã, *hoc eſt*, *inquit*, ſuper hanc fidem ædificabo Eccleſiam meam. *Et antiquiſſimus pater Origines*, Petra, *inquit*, eſt quiſq; diſcipulus Chriſti, ex quo biberunt de ſpirituali conſequente Petra: Et ſuper talem petrã cõſtruitur omnis Eccleſiaſtica doctrina. *Quod ſi ſuper unum illum Petrum tantùm exiſtimas ædificari totam Eccleſiam, quid dicturus es de Ioanne filio Tonitrui, & Apoſtolorum unoque? alio qui enim audebimus dicere, quòd adverſus unũ Petrũ non prævalituræ ſint portæ inferorũ, adverſus cæteros Apoſtolos ac præfectos ſint prævalituræ? ac non potiùs in omnibus & ſingulis eorũ; de quibus dictũ eſt, ſit illud, quod dictũ eſt, & portæ inferorũ non prævalebũt adverſus eam et illud, ſuper hanc petrã ædificabo Eccleſiã meam? an vero ſoli Petro dantur à Chriſto claves regni Cœlorũ, nec alius beatorũ quiſquã eas accepturus eſt? quod ſi hoc dictũ, Tibi dabo claves regni cœlorũ, cæterũ quoq; cõmune eſt, cur non ſimul omnia et quæ prius dicta ſunt, et quæ ſequuntur, velut ad Petrũ dicta, ſunt omniũ cõmunia? Vna, inquit Hilarius, eſt fœlix fidei petra, quam ore ſuo Petrus confeſſus eſt. Et ruſſus, Super hanc, inquit, confeſſionẽ Petri ædificata eſt Eccleſia. Et non ita multò poſt, Hæc, inquit, fides Eccleſiæ fundamentũ eſt. Ad hunc modum alii etiam patres, Hieronymus, Cyrillus, Beda Eccleſiam ex ædificatam aiunt, non in Petro, ſed in fide Petri, hoc eſt, in Chriſto Jeſu filio Dei, quem* 27

Tract. 12 in Matth.

Petrus

Petrus cœlesti instinctu professus fuerat. Petrus, inquit Augustinus, à petra dictus est; non petra à Petro. Nec ego me, inquit, ædificabo super te, sed te ædificabo super me. Imò etiam Nicolaus Lyranus, etsi non semper bonus author, scis enim in quæ tempora inciderit ejus ætas, tamen hoc rectè vidit, super hanc, inquit, petram, id est, super Christum. Ex quo non potest Ecclesia constare in aliquo homine, ratione potestatis, vel dignitatis Ecclesiasticæ, quia multi Papæ inventi sunt Apostatæ.

28 Quâ ergò in re sita est ista authoritas Pontificia? In docendo? at nihil docent. In ministrando sacramenta? at non ministrant. In pascendo? at nihil pascunt. Atqui hæc est illa potestas, qua Christus contulit in Apostolos. Ite, inquit, in universum mundum, & prædicate Euangelium: & posthac eritis piscatores hominum: & sicut me misit vivens Pater, ita ego mitto vos. Isti verò, quò eunt? quid docẽt? quid prædicant? quid piscantur? unde eunt? à quo mittuntur? Non est ista authoritas Apostolica, sed superba & intolerabilis dominatio, per vim & tyrrannidem usurpata. Nemo nostrum, inquit Cyprianus, Episcopum se Episcoporũ dicit, aut tyrannico terrore collegas ad obsequendi necessitatem compellit; quando habeat omnis Episcopus pro licentia libertatis & potestatis suæ arbitriũ propriũ, tanquam judicari ab altero non possit, quum nec ipse possit, alterum judicare. Et hoc, inquit, erant utique cæteri Apostoli, quod fuit Petrus, pari consortio prædíti & honoris, & potestatis. Et Divus Hieronymus; Major, inquit, est authoritas orbis, quam urbis. Quid mihi profers unius urbis consuetudinem? quid paucitatem, de qua ortum est supercilium, in leges Ecclesiæ vendicas? ubicunque fuerit Episcopus, sive Romæ, sive Eugubii, sive Constantinopoli, sive Rhegii, ejusdem est meriti, & ejusdem sacerdotii. Potentia divitiarum, & paupertatis humilitas, superiorem vel inferiore Episcopum non facit. Et Gregorius, Petrus, inquit, præcipuum in corpore membrum, Joannes, Andreas, Jacobus particularium plebum capita: omnes tamen sub uno capite membra Ecclesiæ sunt Imò sancti ante legem, sancti sub lege, sancti in gratia, & omnes perficientes corpus Domini in membris sunt constituti, et nemo se unquã universalẽ dici voluit.

29 Hæc illa est potestas, quam hodiè quidam ita strenuè defendunt, & quicquid de Pontificis vel vita, vel religione sentiant, tamen illam sacrosanctam & integram esse volunt, quasi sine ea Ecclesia Dei incolumis esse non possit: aùt nisi Papa velit & jubeat, Conciliũ non sit Conciliũ; & si totus mundus contra sentiat, nihil sentiat. Quare cum videas hæc omnia iniquissimè esse comparata, nihil hodiè in Cõciliis sincerè & verè fieri, mirari non debes, si nostri homines domi manere malint, quàm tam procul frustra proficisci, ubi & operam lusuri sint, & causam perdituri.

30 Sed injussu Pontificis, inquies, & Concilii, nefas erat in religione voluisse quicquam immutare. Imò verò, Pontifices ipsum universũ prope statum primitivæ Ecclesiæ sine ullo Concilio mutarerunt. Est quidem ista speciosa & pulchra oratio, sed erroribus fœdissimis prætexitur. Morari enim tantùm volunt expectatione animos hominũ; ut morã ac tædio hebescere incipiant, & ad extremũ spem abjiciant. Quid enim? an dum Papa convocet Concilium, & Abbates atq; Episcopi domum redeant, volunt interea populũ Dei falli, errare, decipi, circumfundi erroribus et ignoratione Dei, et abduci ad interitũ sempiternam? non licet cuiquam nostrũ credere in Christum, profiteri Euangeliũ, ritè et verè Deum colere, fugere superstitiones et cultus idolorũ, nisi esti velint? miserabilis verò esset status Ecclesiæ Dei, si in tot erroribus tam latè diffusis, tam crassis, tam cæcis, tam fœdis, tam perspicuis, & manifestis, ut eos ne adversarii quidẽ nostri negare queant, nihil possit effici sine cõcursu orbis terrarum, et Concilio generali, ejus præsertim, cujus et expectatio incerta sit, et exitus multo incertior. Quum Persæ olim in Græciã irrupissent, et cœpissent omnia populari,

lari, & Lacedæmonii, quorum virtus inter omnes tum Græcos eminebat, quos & oportuit primo quoq; tempore procurrere, ad rem gerendam Lunam oportuniorem expectarent (erat enim ea illis jam inde a Lycurgo avita superstitio, ne proficiscerentur ad pugnã, nisi in plenilunio) patria interea dum illi cunctabantur, diripi, & incendi potuisset: Periculum, inquiunt, est in mora. Agitur sluis Ecclesiæ Dei, diabolus rugit ut Leo, & circuit, & quærit quem devoret: homines simplices facilè trahuntur in fraudem, et quamvis sæpe tanguntur zelo Dei, tamen imprudentes persequuntur filium Dei: utque Nazianzenus ait, Quum putent se pugnare pro Christo, pugnant sæpe contra Christũ. Episcopi autem, quibus oportuit ista esse curæ, aut, ut inanes larvæ omnia susq; deq; ferunt: aut, quod res est dicam, augent etiam errorem, & conduplicant caliginem. An ergò nos oportuit sedere otiosos, et hujusmodi patrum cognitionem expectare, et manus comprimere, & nihil agere? Imo, inquit Cyprianus, unus est Episcopatus, cujus à singulis in solidũ pars tenetur, et certè pro sua cuique parte Domino reddenda est ratio. Sanguinem illorũ, inquit Dominus, de manu tua requiram. Quòd si quis admoveat manum ad stivam, et respiciat à tergo, et sollicitus sit, quid alii sentiant, et expectet authoritatem Concilii generalis, et interea recondat thesaurum Domini sui, audiet; Serve male, & perfide: tollite illum, & abjicite in tenebras exteriores. Sinite, inquit Christus, mortuos sepelire mortuos suos. Tu veni & sequere me, veritas Dei non pendet ab hominibus. In humanis quidem Consiliis prudentis est expectare judicium & consensum hominum: In rebus autem divinis vox Dei debet instar esse omnium: quam postquam mens pia semel accepit, statim cedit, et manus dat, non tergiversatur, aut expectat alios. Intelligit enim se non Pontificis, aut Concilii arbitrio oportere credere, sed voluntati Dei, ejus autẽ voci obtemperandum esse, invitis omnibus. Propheta Eliæ Domino jubenti statim obsequutus est, etsi se credebat esse solum. Abrahamus monitu Dei migravit è Chaldea. Lot egressus est è Sodomis. Tres illi Israelitæ publicè ediderunt confessionem religionis suæ, et publicè detestati sunt Idololatriam; nihil expectato generali Concilio. Exite, inquit Angelus, de medio ejus, et ne fitis participes peccatorum ejus: néve accipiatis de plagis ejus: Non dicit, expectare Synodũ Episcorum. Sic primùm publicata est veritas Dei, sic eadem nunc restituenda est. Sine publico Concilio Apostoli primùm docuerunt Euangeliũ. Sine publico Concilio idem potest postliminio revocari. Quod si Christus ipso ab initio, aut ejus Apostoli cunctari voluissent, et rem omnem ad futurum Concilium rejecissent, quando tandem exivisset sonus illorum in omnẽ terram? quomodo vim pertulisset regnum cœlorum, aut violenti in illud invasissent? ubi nunc esset Euangelium? ubi nunc esset Ecclesia Dei? Nos quidem non formidamus, aut fugimus, imo multo priùs optamus et cupimus Concilium: modò liberum, modò ingenuum, modò Christianum, ad Apostolorum exemplar conveniatur, modò Abbates et Episcopi à religione jurisjurandi, quo nunc Romanis Pontificibus obstricti sunt, eximantur, modò universa illa conjuratio dissolvatur: modo nostrarũ partiũ homines modestè, ac liberè audiantur: modò ne in audite condẽnentur: modò ne quicquid agatur, unus quispiã infirmare et rescindere possit omnia. At cum id his moribus et tẽporibus impetrari non posse, et omnia absurda, inepta, ridicula, superstitiosa, impia, tantùm quòd semel recepta essent, consuetudinis causã pugnacissimè defendi videremus, propriũ esse judicavimus, ut municipali Concilio Ecclesiis nostris prospiceremus.

Scimus enim spiritum Dei nec locis alligatum esse, nec numeris hominum. Dic, *inquit Christus, Ecclesiæ: non sanè universa, quæ diffunditur in totum terrarum orbem, sed articulari, quæ possit unà aliquem in locum convenire.* Vbicunq;, *inquit, erunt duo, aut tres congregati in nomine meo, ibi sum ego in medio* 31

Sic Paulus, ut instauraret Ecclesias Corinthiorum & Galatarum, non jussit expectare generale Consilium: ad ipsos scripsit, vt quicquid esset erroris aut vitij, illi ipsi statim resecarent. Sic olim, cum Episcopi dormirent, atq; aliud agerent, aut etiam contaminarent & polluerent tẽplum Dei, semper Deus extraordinariâ ratione alios quosdã excitavit, magno viros spiritu, atque animo, qui omnia integrũ restituerent.

32 *Nos vero nihil temerè, nihil nisi summa cum ratione fecimus, nihil nisi quod videbamus & sẽper licuisse fieri, & à sanctis patribus sæpe sine ulla reprehensione fuisse factum. Itaque convocatis Episcopis frequenti Synodo, communi consensu omnium ordinum, Ecclesiæ sordes, quas vel incuria hominum, vel malitia infuderat, tanquam Augiæ stabulum repurgavimus, & quantum esse qui maximè potuimus, omnia ad pristinum nitorem, ad Apostolicorum temporum, & primitivæ Ecclesiæ similitudinem revocauimus. Idque & potuimus rectè facere, & quia potuimus fidenter fecimus.*

33 *Libet hic audire, quid Gregorius Papa. 1. hac de re scripserit, quanquam magis libet, quòd ille de Anglicarum Ecclesiarum institutione ad Anglorum Episcopum Augustinum ea scripserit. Hortatur autem, non ut ad Concilium referat, sed ut ipse pro sua prudentia id instituat, quo videat pietatem maximè posse promoveri.* Novit, *inquit*, fraternitas tua Romanæ Ecclesiæ consuetudinem, in qua se meminit esse nutritum. Sed mihi placet, ut sive in Romana, sive Gallicorum, sive qualibet Ecclesia inveniſti quod plus omnipotenti Deo possit placere, eligas solicitè, & in Anglorum Ecclesiam, quæ adhuc in fide nova est, & in constitutione, præcipua, quæ de multis Ecclesijs colligere poteris, infundas. Non enim pro locis res, sed pro rebus loca amanda sunt.

Ad eundem modũ scribunt Patres in Concilio Constantinopolitano ad Damasum
34 *Episcopum urbis Romæ, & reliquos Episcopos Occidenti.* De cura, *inquiunt*, administrationis singularum Ecclesiarũ scitis veterem sanctionem & definitionem Nicænorum patrum semper invaluisse, ut in unaquaque provincia cultores, assumptis etiam, si videatur, finitimis, conferant Ecclesiasticos honores ijs, quos utiliter gesturos esse confidunt. *Et Aphricani Episcopi ad Celestinum Romanum:* Præsbyterorum, inquiunt, & sequentinum Clericorum improba refugia, sicut te dignum est, repellat sanctitas tua. Quia & nulla patrum definitione hoc Ecclesiæ denegatum est Aphricanæ: & decreta Nicæna, sive inferioris gradus Clericos, sive ipsos Episcopos suis Metropolitanis apertissimè commiserunt. Prudentissimè enim justissiméque quæque negotia in suis locis, ubi orta sunt, esse finienda: nec unicuique provinciæ gratiam sancti spiritus defuturam. Quæ æquitas à Christi sacerdotibus & prudenter videatur, & constanter retineatur.

35 *Multo verò melius, & ad hanc rem, quæ de nunc agimus, accommodatiùs Eleutherius Episcopus Romanus ad Lucium Regem Britaniæ:* Petiistis, *inquit*, à nobis leges Romanas, & Cæsaris vobis transmitti, quibus in regno Britanniæ uti voluistis. Leges Romanas, & Cæsaris semper possumus reprobare: Legem Dei nequaquam. Suscepistis enim miseratione divina in regno Britanniæ legem & fidem Christi: habetis penes vos in Regno vestro utranque paginam. Ex illis Dei gratiâ per consilium regni vestri sume legem, & per illam Dei patientiâ poteritis vestrum Britanniæ regnum instituere. Vicarius verò Dei estis in regno illo, *juxta Psalmistam: Domini est terra.*

Quid multis? Victor Episcopus Romanus habuit Romæ Synodum provincialem. Iustinianus Imperator mandat, si quid opus sit, in singulis provincijs habere Synodos:

dos: Id ni fiat, se fore ultorem & vindicem. Vnaquæque, *inquit Hyeronymus*, provincia habet mores & ritus & sensus suos, quos sine gravi perturbatione movere facilè non possis.

Nam quid ego commemorẽ vetera Concilia municipalia, Eliberinum, Gangrense, Laodicenũ, Ancyranũ, Antiochenum, Turonense, Carthaginense, Mileuitanum, Toletanum, Burdegalense; non enim est ista nova ratio. Sic olim regebatur Ecclesia Dei, antequã patres ad Nicenũ Concilium convenissent. Non enim statim decurrebatur ad Concilium generale. Theophilus habuit Conventum provinciale in Palæstina: Palmus in Ponto: Irenæus in Gallia: Bachylus in Achaia: Origenes cõtra Beryllum in Arabia. Mitto alia Concilia municipalia quãplura, quæ habita fuerunt in Africa, Asia, Græsia, Ægypto, pia, orthodoxa, Christiana, injussu Pontificis Romani. Episcopi enim tum pro re nata ut quidq; incidisset, statim domestico Cõsilio succurrebãt Ecclesiis suis, & modò vicinorũ Episcoporũ fidẽ implorabant, modò operas mutuas tradebãt, & si quid opus esset, sese vicissim ultro juvabant. Nec tantũ Episcopi, sed principes etiã judicabant religionis causã ad suum officiũ pertinere. Nam, ut mittã Nabuchadnezarẽ, qui capitale sanci vit, si quis blasphemässet Deũ Israel: aut Davidẽ, Solomonẽ, Ezechiã, Iosiã, qui partim exædificarunt, partim repurgarunt templum Dei: Constant. Imper. sine Consilio sustulit cultum idolorum, & gravissimis verbis edixit, capitale fore, si quis Idolo sacrificässet. Theodosius Imper. solo æquari jussit tẽpla deorum. Iovin. Imper. statim ubi esset renunciatus, tulit primã legẽ de reducendis exulibus Christianus. Iustin. Imper. dicere solebat Religionẽ Christi non minùs sibi esse curæ, quàm vitã suam. Iosua quum factus esset Dux populi, statim accepit præcepta de religione & de colendo Deo. Sunt enim Principes nutritij Ecclesiæ, & custodes utriusque tabulæ. Nec aliã magis causã Deus semper voluit Politias existere, quàm ut essent, qui religionem & pietatem incolumen conservarent.

Quo magis hodie graviús q; peccãt multi Principes, qui appellãtur quidẽ Christiani, 37
qui sedẽt otiosi, & indulgẽt voluptatib⁹, & patienter ferũt impios cultus & contẽptũ numinis, & hæc omnia devoluunt ad Episcopos, ad illos ipsos quib⁹ sciunt omnem religionẽ esse ludibrio: quasi cura Ecclesiarũ & populi Dei ad ipsos nihil pertineat, aut ipsi tanquã pastores quidẽ sint armentarii, & corporũ tantùm, ac non etiã animarũ curã gerant. Non meminerunt se servos esse Dei, eâ causã delectos, ut serviãt Domino. Ezechias rex non priùs ascendit in domũ suã, quàm vidisset perpurgatũ tẽplum Dei. Et David rex, Non dabo, *inquit*, somnũ oculis meis, nec patiar ut cõniveant palpebræ meæ, donec inveniã locũ Domino, & Tabernaculũ Deo Iacob. *O si Principes Christiani audire vellẽt vocẽ Domini sui.* Nunc reges intelligite, *inquit Dominus*, erudimini, qui judicatis terrã. Ego, *inquit*, dixi, dij estis, *hoc est, homines divinitùs electi, quib⁹ nomẽ meũ esset curæ. Cogitatu, quem ego de sterquilinio excitavi, & in summo dignitatis & honoris gradu collocavi, & præfeci populo meo, cũ ita studiosè ædifices & ornes domũ tuã, quo animo potes contemnere domũ meã? aut quomodo quotidie oras, ut regnũ tuum tibi posteriq; tuis cõfirmetur? An ut nomẽ meũ sẽper afficiatur cõtumelia? ut evangeliũ Christi mei extinguatur? ut servi mei meâ causã, ante oculos tuos, te inspectante, trucidẽtur? ut tyrannis longiùs grassetur? ut populo meo sẽper imponatur? ut per te scandalũ confirmetur? Væ illi per quẽ venit scandalũ; væ etiã illi, per quẽ cõfirmatur scandalũ: Horres sanguinem corporũ; quanto magis horrere debes sanguinem animarum? Memineris quid acciderit Antiocho, Herodi, Iuliano:* Ego regnũ tuũ transferã ad hostẽ tuũ, quia peccasti adversũ me: *ego muto tẽpora & vices tẽporum: abjicio reges & instituo, ut intelligas me altissimum esse, & vim habere in regno hominum, & illud dare cui volo: ego humilio, & ego exalto, ego glorificantes me glorifico, & eos, qui me contemnunt, afficio contumelia.*

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ANDREAS DVDITHIVS EPISCOPVS QVINQVE ECCLESIENSIS

in Epiſtola ad Maximilianum II. Cæſarem;

ubi ſententiam ſuam refert de Calice Laicis *concedendo, & Sacerdotum conjugio.*

QVid profici potuit in eo Conſilio, in quo numerarentur, non ſuis momentis ponderarentur ſententiæ? ſi cauſſa, ſi ratione pugnandum fuiſſet, ſi pauci quidam ſocii nobis adfuiſſent, viceramus, quamvis pauci magnas copias adverſariorum. Sed cum numerus tantùm prodiret in aciem, quo longè inferiores futuri fuiſſemus, in optima cauſa victores diſcedere non potuimus. Singulis noſtrum centenos de ſuis Papa potuit opponere: ac, ſi centeni parum multi viderentur, repentè mille creare potuit, quos ſuis laborantibus ſubſidio mitteret. Itaque videre erat, quotidiè famelicos & egentes Epiſcopos, ex majori parte barbatulos adoleſcentes, luxúque perditos Tridentum volitare, conductos ad ſententiam ſecundùm Papæ voluntatem dicendam, indoctos illos quidem & ſtolidos, ſed tamen impudentia & audacia utiles. Hi cum ad veteres adulatores Papæ acceſſerant, tum verò victrix exultabat iniquitas, neque decerni jam quidquam potuit, niſi in eorum ſententiam, qui Papæ potentiam, luxúmque defendere, ſummam religionem arbitrabantur. Erat aliquis vir gravis & eruditus, qui tantam indignitatem ferre non poterat: hic, ut non bonus Catholicus, terrore, minis, ac inſectatione à Conſilio ad probandum quæ nollet, traducebatur. In ſumma, in eum ſtatum res eſt adducta, iſtorum, qui illuc facti inſtitutique venerant, improbitate, non ut jam Epiſcoporum, ſed laruarum, non hominum, ſed ſimulacrorum, quæ nervis moventur alienis, ut Dædali ſtatuæ fuiſſe perhibentur, Conſilium illud videretur. Erant Epiſcopi illi conductitij plerique, ut utres, ruſticorum muſicum inſtrumentum, quos ut vocem mittant, inflare neceſſe eſt. Nil habuit cum illo conventu S. Spiritus commercii, omnia erant humana conſilia, quæ in immodica, & ſanè quàm pudenda Pontificum tuenda dominatione conſumebantur. Illinc reſponſa, tanquam Delphis, aut Dodonâ expectabantur: illinc nimirum Spiritus ille S. quem ſuis Conſilijs præeſſe jactant, tabellarij manticis incluſus mittebatur: qui, quod admodum ridiculum eſt, cum aliquando, ut fit, aquæ pluvijs excreſcebant, non ante advolare poterat, quàm inundationes deſediſſent. Ita fiebat, ut Spiritus non ſuper aquas, ut eſt in Geneſi, ſed ſecus aquas ferretur. O portentoſam & ſingularem dementiam! Ratum nihil eſſe poterat, quod Epiſcopi, tanquam plebs, ſciſcerent, niſi Papa autor fieret.

ALPHA-

AN ALPHABETICALL TABLE, OF ALL THE PRINCIPALL MATTERS CONTAINED IN THIS HISTORY OF THE COVNCELL OF TRENT.

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FINIS.

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THE HISTORIE OF THE COUNCEL OF TRENT.

IN EIGHT BOOKES.

In which (beſides the ordinarie Acts of the Councell) *are declared many notable Occurrences, which happened in* Chriſtendome, during the ſpace of fourtie yeeres and more.

And particularly, the practices of the Court of Rome, *to* hinder the reformation of their errours, and to maintaine their greatneſſe.

Written in Italian by *Pietro Soaue Polano*, and faithfully tranſlated *into Engliſh by* NATHANAEL BRENT.

Unto this THIRD EDITION are added divers obſervable Paſſages, *and Epiſtles, concerning the truth of this Hiſtorie, ſpecified in the next Page.*

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1640.

which, as they boaſt, doth governe their *Councels*, was ſent from thence in a poſtilions cloak-bag, which in caſe of any inundations, could not come thither (a thing moſt ridiculous) untill the waters were aſſwaged. So it came to paſſe that the *Spirit* was not upon the waters, as it is in *Geneſis*, but by the waters ſide. O monſtrous extraordinary madneſſe! Nothing could be ratified which the Biſhops (as if they had been the common people) did Decree, unleſſe the Pope made himſelfe the author of it.

An Epiſtle written by IOHN IEWELL, *Biſhop of* Sarum, *unto one* Seignior SCIPIO, *a Gentleman in* Venice, *in anſwere of an expoſtulatory letter of his concerning the Councell of* Trent.

1 SIr, according to that intimate acquaintance, which hath been between us, ever ſince we lived together at *Padua*, (you being imployed in the affaires of your Common-weal, I in my ſtudies) you write unto me familiarly, that your ſelfe, and many others there with you, wonder, that ſince a *Generall Councel* at *Trent* hath been ſummoned by the Pope, for the ſetling of religion, & removing of *Controverſies*; and ſeeing already all other *Nations* from all parts are there aſſembled; The Realme of *England* alone, hath neither ſent any *Ambaſſadors* thither; nor by any meſſage or letter excuſed their abſence, but without any *Counſel*, hath altered almoſt all the forme of the old ancient religion; the former whereof, as you ſay, argues a proud ſtubbornneſſe, the other a perniciouſs Schiſme. for it is a Superlative crime, for any man to decline the moſt *Sacred Authority* of the Pope of *Rome*; or, being called by him to a Councell, to withdraw himſelfe. As for the *Controverſies* about religion, that it is not lawfull to debate them otherwhere then in ſuch *Aſſemblies*. For there be the *Patriarches* and *Biſhops*: There be the learnedſt men of all ſorts; from their mouthes the *truth* muſt be required: There be the lights of each *Church*: There is the *Holy Ghoſt*: That all godly Princes, if any doubt had riſen concerning *Gods* worſhip, ſtill referred it to a publike conſultation: That *Moſes*, *Ioſhua*, *Davvid*, *Ezechias*, *Ioſias*, and other *Iudges*, *Kings*, *Prieſts*, did not advile, concerning matters of *Religion*, elſewhere then in an aſſembly of Biſhops: That *Chriſt's Apoſtles* and the *Holy Fathers* held *Councels*: That by this means the *Truth* diſplayed her beames: *Hereſies* were ſubdued: ſo was *Arrius* vanquiſhed, ſo *Eunomius*, ſo *Eutiches*, ſo *Macedonius*, ſo *Pelagius*; And that by the ſame meanes the preſent diſtractions of the world may be compoſed, and the breaches of the Church made up againe, if contentions and factions laid aſide, we would come to a Councel; without which nothing can lawfully be attempted in Religion.

2 This in effect was the ſumme of your Letter. I doe not now take upon me to anſwer you in the behalfe of the *Realme* of *England*, by what advice every thing hath beene done, neither doe I thinke that you expect it from me, or deſire it. The Councels of *Kings* are hidden and ſecret, and ſo ought to be. You know the old ſaying, *nor every where, nor to all, nor to all ſorts of people.*

people. Yet for our old and intimate acquaintance (becauſe I ſee you deſire it ſo earneſtly) I will briefly and friendly ſhew you what I thinke, but, as he ſaies, *as farre as I know, and am able*; and I doubt not but that will ſatisfie you.

We wonder, ſay you, that no Ambaſſadours from *England* come to the *Councell*. I pray you Sir, do *Engliſhmen* only not come to this *Councell?* Were 3
you your ſelfe preſent at the *Councell*? Did you take a muſter of them? Did you count them by the Poll? Did you ſee that all other nations were met from all parts, except only the *Engliſh*? If you have ſuch a mind to wonder, why do not you wonder at this too? that neither the three memorable *Patriarches*, of *Conſtantinople*, *Antioch*, and *Alexandria*, nor *Preſbiter Iohn*, nor the *Grecians*, *Armenians*, *Perſians*, *Egyptians*, *Mores*, *Æthiopians*, or *Indians* come to the *Councell*. For do not many of theſe people beleeve in CHRIST? Have they not *Biſhops*? Are they not baptized in the Name of CHRIST? Be they not *Chriſtians* and ſo called? Or did there come *Ambaſſadors* from all theſe nations to the *Councell*? Or will you rather ſay that the *Pope* did not call them, or that your Eccleſiaſticall Decrees take no hold of them?

But we wonder more at this, that the *Pope* would afterwards call ſuch 4
men to a *Councel*, whom before hand he had condemned for *Heretiks*, and openly pronounced them excommunicate, without hearing either them or their plea. For that men ſhould be firſt condemned and puniſhed, and afterwards brought to their triall, is abſurd, and, as we ſay, *The Cart before the horſe*. But I would faine be reſolved of this, whether the *Popes* meaning be, to adviſe in the *Councell* concerning Religion with us, whom he accounts *Heretiques?* or rather that we ſhould plead our cauſe at the Barre, and either change our opinion preſently, or out of hand be condemned againe. The former is without example, and denied heretofore by *Iulius* the third, to thoſe of our ſide; The other is ridiculous; if he thinke ſo; that the Engliſh will come to the *Councel*, only to be indited, and to plead for themſelves, eſpecially before him, who long ſince is charged with moſt heynous crimes, not only by our ſide, but alſo by their owne.

Now if *England* only ſeeme to you thus ſtubborne, where then be the 5
Ambaſſadours of the *King* of *Denmark*, of the *Princes* of *Germany*, of the *King* of *Sueden*, of the *Suitzers*, of the *Griſons*, of the *Hanſe Townes*, of the Realme of *Scotland*, of the Dukedome of *Prußia*? Seeing ſo many *Chriſtian Nations* are wanting in your *Councel*, it is abſurd to miſſe in your reckoning only the *Engliſh*. But why doe I ſpeake of theſe? the *Pope* himſelfe comes not to his own *Councel*; and why do you not wonder at that alſo? For what a pride is this, for one man for his owne pleaſure, to aſſemble together all *Chriſtian Kings*, *Princes*, and *Biſhops*, when he liſteth, and to require them to be at his call, and himſelfe not to come in their preſence. Surely when the *Apoſtles* ſummoned aſſemblies at *Ieruſalem*, *Peter* the *Apoſtle*, of whoſe *Sea*, and *Succeßion* they brag, would not be abſent. But as I conceive, *Pius* the fourth, the preſent *Pope*, remembreth what hapned heretofore to *Iohn* the 22; that he came not in a very happy houre to the *Councell* of *Conſtance*: for he came *Pope*, but returned *Cardinal*. Therefore, ſince then, the *Popes* have provided for themſelves in the rere, and kept home, and have withſtood all *Councels*,

and

and free diſputes. For above fourty yeeres ſince, when Doctor *Martin Luther* was curſed by the *Pope* with *Bell, Book,* & *Candle*, becauſe he had begun to preach the *Goſpell*, and to reforme Religion out of GOD's word, and had humbly requeſted, that his whole cauſe might be referred to the cogniſance of a *Generall Councell*, he could have no audience. For *Pope Leo* the tenth did ſee well enough, if the matter ſhould come to a *Councel*, that his own ſtate might come in danger, and that he might perchance heare what he would not willingly.

6 Indeed the name of a *Generall Councell* caries a faire ſhew, ſo it be aſſembled as it ought, and (affections layd aſide) all things be referred to the rule of *Gods* word, and the truth only aymed at. But if Religion and godlineſſe be openly beaten downe, if tyranny and ambition be eſtabliſhed, if men ſtudy faction, gluttony, luſt, there is nothing more pernicious for the *Church* of *God*. All this I have ſpoken hitherto, as if this *Councel* which you call ſo did ſubſiſt ſomewhere, and were indeed a *Councel* which I thinke abſolutely to be none. Or if it be one, and ſubſiſt any where, ſure it is an obſcure one, and kept very cloſe. For though we are not very farre off, yet we can by no means learne, what is done there, what Biſhops have met, or rather indeed whether any at all are met. Nay beſides, above twenty months ſince, when this *Councell* was firſt ſummoned by *Pope Pius*, the *Emperour Ferdinand* anſwered that though all other matters were accomodated, yet he did much diſlike the *Place*, which the *Pope* had made choice of for himſelfe. For *Trent*, though a prety City, yet was neither commodiouſly enough ſeated for the receipt of ſo many *Nations*, nor able to receive ſo great a multitude of men, as were likely in reaſon to meet at a *Generall Councell*. The ſame anſwere was returned from other *Chriſtian Princes*; and from ſome, much ſharper. Therefore we beleeved that all theſe things, together with the Councell it ſelfe, had beene vaniſhed away into ſmoake.

7 But I pray you, who is he that hath ſummoned this *Councell*, and called the world together? You will ſay, *Pope Pius* the fourth. And why he, rather then the *Biſhop* of *Toledo*? For by what power, by what example of the *Primitive Church*, by what right doth he this? Did *Peter*, *Linus*, *Cletus*, *Clemens* thus toſſe and tumble the world with their Proclamations? This was alwayes whilſt the *Empire* flouriſhed, the proper right of the *Emperours* of *Rome*. But now, ſince the power of the *Empire* is leſſned, and *Kingdomes* by ſucceſsion ſhare part of the *Imperiall power*, that power is communicated to *Chriſtian Kings* and *Princes*. Search the Annals, lay together the memorials of all Antiquity, you ſhall find the ancienteſt *Councels*, the *Nicene*, the *Epheſine*, that of *Chalcedon*, that of *Conſtantinople*, to have been called by the *Roman Emperours*, *Conſtantine*, *Theodoſius* the firſt, *Theodoſius* the ſecond, *Martin*, not by the *Popes* of *Rome*.

8 *Leo* the *Pope*, a man otherwiſe loving enough to himſelfe, and no way neglectfull of the authority of his *Sea*, did hũbly beſeech *Mauritius* the *Emperour*, that he would ſummon a *Councel* to be held in *Italy*, as being the fitteſt place. *All the Prieſts* ſayes he, *beſeech your Clemency, that you would command a Generall Councell to be held within Italy*. But the *Emperor* cauſed that *Councel* to be aſſembled, not in *Italy*, which the *Pope* earneſtly laboured, but at *Chal-*

cedon

cedon, in *Bithynia*; to ſhew, that that was his right, and belonged to him onely. And when *Ruffinus*, in that bickering which he had with *Jerome*, had alleadged a certain *Synod*, *Tell me*, ſayes *Jerome*, *what Emperor cauſed it to be called*. *Jerome* did not thinke the authority of a *Generall Councel* firme enough, unleſſe an *Emperour* had called it. I demand not now, what *Emperor* hath commanded the Biſhops to be called to *Trent* at this preſent: But with what *Emperour* did the *Pope*, that hath taken thus much to himſelfe, adviſe of holding the *Councell*, what *Chriſtian King* or *Prince* did he make privy to his deſigne? To intrude upon anothers right by fraude or force, and to uſurpe for his owne, what belongs to others, is injurious dealing. But to abuſe the *Clemency* of *Princes*, and to rule over them as his vaſſalls, is an egregious and an intollerable diſgrace to them. But for us, by our complying, to go about to backe ſuch an injury, and diſgrace, were no leſſe injury. Wherefore if we ſhould only ſay thus much, that this *Trent Councell* of yours is not lawfully called, that *Pope Pius* hath done nothing rightly or orderly, no man could juſtly finde fault with our abſence.

I paſſe over the wrongs, which the *Popes* of *Rome* have done us: That they have as often as they pleaſed, armed our *People* againſt their *Soveraigne*: That they have pull'd the *Scepters* out of our *Kings* hands, and the *Crownes* from off their heads: That they would have the *Kingdome* of *England* to be theirs, and held in their name, and our *Kings* to Reigne by their favour: That within theſe later yeeres, they have ſtirred up againſt us, ſometimes the *French*, ſometimes the *Emperour*. What the intentions of *Pius* himſelfe have beene towards us, what he hath done, what he hath ſpoken, what he hath practiſed, what he hath threatned, 'tis needleſſe to rehearſe: For his actions and his words are not ſo cloſe, ſo concealed, but that the aime of both may be diſcovered. By what courſes he was made *Pope*, and by what ſteps he mounted to ſo great a dignity, I ſay nothing. I doe not ſay, that he aſpired to the *Popedome* by corrupting of *Cardinals*, buying of voices, by price and purchaſe, by underminings, and ambuſhes. I do not ſay that lately, being not able to quitt ſkores, he caſt *Cardinall Caraffa* into priſon, and there murthered him, by whoſe aſſiſtance he had compaſſed the reſt of the *Cardinals voyces*, to whom for that ſervice he owed a great ſum of monie. Theſe, and divers other things, I leave to you, who both behold them at a neerer diſtance, and better underſtand them. And can you wonder then, that we come not to a man of Bloud, one that purchaſes voices, that denies to pay his debts, to a *Simoniacal* perſon, to an *Heretique*? Beleeve me, it is not the part of a wiſe man wilfully to run into a place infected, and to conſult of Religion with the enemies of Religion. *My mother*, ſaies one, *forbade me the company of infamous perſons*. *John* the *Apoſtle* durſt not ſit in the ſame Bath, nor waſh with *Olympius*, leſt he ſhould be ſtruck from heaven with the ſame thunder. I have not ſate, ſaith *David*, in the aſſembly of Vanitie, neither will I walke in the workers of iniquity. 9

But admit that this is the Popes proper right; let it be in his power to call *Councels*, to governe the whole world: let thoſe things bee falſe and vaine, whatſoever we have ſpoken concerning the power of the *Emperour*, and the right of *Kings*: Grant that *Pope Pius* is an honeſt man; that 10

he was duly & lawfully made *Pope*; that he ſought no mans life, that he did not kill *Caraffa* in priſon: yet it is fit that *Councels* ſhould be free, that every man may be preſent that will, and thoſe, with whoſe convenience it ſtands not, may be abſent. And ſuch was anciently the equitie and moderation of thoſe better men. The *Princes* were not then called together in ſuch a ſlaviſh manner, that if any one of them had ſtaied at home, or had not ſent *Ambaſſadours* to the *Councell*, preſently every eye was upon him, every finger pointing at him. In the *Nicen Councell*, in the *Epheſine*, in that of *Conſtantinople*, what ſpie obſerved who were abſent? But there was never an *Ambaſſadour* then, neither from *England*, nor *Scotland*, nor *Poland*, nor *Spaine*, nor out of the two *Pannonia's*, nor out of *Denmarke*, nor out of all *Germany*. See, read, reexamine the *Subſcriptions*, you ſhall finde it ſo, as I ſay. And why doe not you marvaile then, that the *Engliſh* came not to thoſe *Councels*, being ſo full, ſo famous, ſo renowned, ſo frequented? Or that the Popes in thoſe times were ſo patient, as not to condemne them of contumacie? But this tyranny of the Popes was not yet growen up; it was lawfull then for *holy Biſhops and Fathers*, as it ſtood with their convenience, to ſtay at home without prejudice. The *Apoſtle Paul* would not put himſelfe upon the *Councel* at *Jeruſalem*, but rather appeal'd to *Cæſar*. *Athanaſius* the *Biſhop*, though the *Emperour* ſummoned him to the *Councel* at *Ceſarea*, yet he would not come. The ſame man, in the *Syrmian Councel*, when he ſaw that the *Arrians* were like to prevail, preſently withdrew himſelfe, and went his waies: and the *Weſterne Biſhops* following his example, refuſed to come to that *Councel*. *John Chryſoſtome* came not to the *Arrian Councel*, though the *Emperour Conſtantius* called him, both by letter, and alſo by meſſage. At what time the *Arrian Biſhops* aſſembled in *Paleſtine*, and drew with them the votes of the major part, old *Paphnutius* and *Maximus Biſhop of Jeruſalem*, went out together out of the middeſt of their aſſembly. *Biſhop Cyrill* appealed from the *Councel* of the *Patropaſſians*. *Paulinus Biſhop* of *Triers* would not come to the *Councel* of *Millan*, becauſe that he ſaw, that by the favour and power of the *Emperour Conſtantius*, all ranne of *Auxentius* the *Arrians* ſide. The *Biſhops* that had met in a *Councel* at *Conſtantinople*, being called to a *Councel* at *Rome*, refuſed to come. Which notwithſtanding turned not to their prejudice, though they were called by the *Emperours* letters. In thoſe dayes the excuſe ſeemed reaſonable enough, that they were to intend the charge and reformation of their owne *Churches*. Though they ſaw that the *Arrians* did play reakes in all *Churches*, and that their preſence would have been of great importance for the abating of their rage.

11 What if our *Biſhops* ſhould now give the ſame anſwere, that they can ſpare no time from their ſacred function; that they are wholly imployed in ſetting up againe their owne *Churches*; that they cannot be abſent, five, ſix, ſeaven yeeres, eſpecially there, where they ſhould be able to doe no good. For our *Biſhops* are not ſo idle, as thoſe at *Rome* that frolick it in their palaces, and daunce attendance upon the *Cardinals*, and hunt after livings. Our *Churches* are ſo miſerably waſted and ruined by them, that they cannot be repaired in a ſmall time, or with ordinary diligence. But now wee ſee plainely that theſe men ſeek to incroach upon our times, that without any neceſſi-

neceſſity we might be drawen abroad and ſo diſabled to advance the *Goſpell* at home, and in the *Councell* be hindred by them.

For the Pope, that you may not be miſtaken, doth but make a ſhew of 12
a Councell, and meanes it not, for thinke not that he doth any thing ſincerely or truely. *Lewis* the eleventh was wont to ſay to *Charles* the eighth, that He *that knowes not how to make ſhewes of what he meanes not, kens not Kings-craft*: But, as the times goe now, he that knowes not how to make no ſhew of what hee meanes, and to cloake his deſignes under a diſguiſed countenance, is much more ignorant how to play the Pope. For that *Sea* is wholly ſupported with meere hypocriſie, which the leſſe naturall ſtrength it hath, ſo much the more colour it needs. For if the Popes thought a *Generall* Councell ſo effectuall for removing of *Schiſmes*, why did they differre a thing ſo neceſſary thus long? Why did they ſit quiet thirty yeeres together, and ſuffered *Luthers Doctrine* to take root? Why did they not call a Councell, with the firſt? Why did they aſſemble the *Trent* Councel with ſuch reluctancy and unwillingneſſe, more by the inſtigation of the *Emperour Charles*, then of their owne accord? And having beene at *Trent* well nigh tenne yeares, with all this deliberation why have they done juſt nothing? Why have they left the matter undone? Who hindred, who withſtood them? Beleeve me in this, *Good Brother*, the Popes are not in hand now to keep a ſolemne Councell, or to reſtore religion, which they make a mocke of. That which they intend, and ſeeke, and labour for, is to delude the mindes of godly men, and the whole world with a pompous expectation of a *Generall* Councell.

They ſee that their wealth hath beene leſſening now a pretty while, 13
and declining: That their tricks doe not find the ſame credit now, as heretofore: That an incredible number of men every day fall from them: That men doe not now runne to *Rome* in ſuch troops: That there is not now a dayes ſo high an eſtimation, or ſo dear a price given for *indulgences, interdicts, bleſſings, abſolutions, and empty Bulls*: That their *Mart* of *Ceremonies* and *Maſſes* and all their whoriſh paintings are ſlighted: that a great part of their tyranny and pompe is ſhrunke: That their revenewes are ſlenderer then they were wont to be: That they and theirs are laughed at every where, even by very children: That their whole reſt lies now at ſtake. And indeed it is no wonder if theſe things fall, which had no roots to hold them. Our *Saviour* JESVS CHRIST extinguiſhed all thoſe things, not by armes or force of men, but by the heavenly blaſt & breath of his mouth; but wil conſume and aboliſh them with the brightneſſe of his comming. This is the force of *Gods word*; this is the power of the *Goſpell*; theſe be the weapons, by which is overthrown every fortification, which is raiſed againſt the knowledge of *God*. This doctrine ſhall be preached through the whole world in deſpight of them all: the gates of *Hell* ſhall not prevaile againſt it. The merit-mongers ſhops waxe cold now at *Rome*; their wares, as if *Porſenna's* goods were put to ſale, are very low pric'd, and yet can ſcarce finde a chapman. The indulgence-broker trots up and downe, and finds no fools. This it is, Hence growes their griefe; This vexes the Popes. They ſee that

this ſo great light broke forth from one ſparke: What is it like to do now, when ſo many fires are kindled in all places of the world? And ſo many *Chriſtian Kings* and *Princes* acknowledge and profeſſe the Goſpell? For they ſerve not CHRIST JESUS, but their *Bellies*. They ſay that *Carneades* the Philoſopher, when he was at *Rome* and made that memorable ſpeech againſt *Juſtice*; amongſt other things he added this, that this vertue, if it were one, would be leſſe profitable to no kinde of men, then to the *Romans*: For they by force and robbery had ſubdued other mens dominions to themſelves, and had compaſſed the *Empire* of the *World* by high injuſtice. Now if they would at length obſerve Juſtice, they muſt reſtore all thoſe things, which they poſſeſſe unjuſtly: They muſt returne to their ſhepheards houſes, and their cold Cottages, which was all they had in the beginning. So verily theſe men, if they would deale plainely, and lay aſide their diſguiſes, and doe their duty, and render every one his owne, they ſee they muſt come to their ſtaffe and ſcrip againe, to ſobriety and modeſtie, to the labours and function of the Goſpell. For they have heard *Auſtin* ſay, that, The name of a Biſhop, is a name of worke, not of worſhip; and, That they are no Biſhops that would have the preeminence above others, but not benefit them. And therefore they ſee, that it is leſſe expedient for themſelves, then for any ſort of men, to have the Goſpell ſpread wider, and further propagated: for they cannot be ſafe, if they will be ſound. Therefore now they raiſe tumults, and puzzell all, as *Demetrius* the Smith did of old, when he ſaw that his hopes of gaine were cut. Now therefore Councels are ſummoned, the *Abbats* and *Biſhops* are called to make a partie. For this they thought the cunningeſt plot, to ſpinne out the time for ſome yeeres, to hold mens mindes in ſuſpence with expectation: many things, as it uſeth, might fall out in the meane time: Some *Warre* might be raiſed: One of theſe *Princes* might die: that this ſo ſharpe edge of theirs for the Goſpel, might in proceſſe of time be dulled: mens mindes might waxe coole: In the meane while, as one ſayes, ſomewhat will be done I hope.

14 Long ſince, the *Perſians* having beene vanquiſhed and led in triumph, when as the *Athenians* had begun to repair their walls, which the *Perſians* had laid levell with the ground; and the *Lacedemonians* had ſtraitly interdicted them, to the end that they might keep them the eaſier under their check: *Themiſtocles* the Athenian General, a wiſe man, ſeeing the ſafety of his Countrey might be hazzarded, promiſed that he would come to *Lacedemon* to confer with them about it. So, being upon the way, to ſpend time, he faigns himſelfe ſicke, that he might dwell the longer upon his journey. At length, being come to *Lacedemon*, he began to make many cavills on ſet purpoſe: Sometimes the covenants did not pleaſe him: Sometimes he demands time to adviſe: Sometimes he muſt wait for his fellow *Ambaſſadours*, without whom nothing could be done: otherwiſe he muſt ſend *Ambaſſadors* to *Athens*. In the meane time, whileſt he trifles, the *Athenians* had walled their City round, and, if any force were offered, were provided of a defence. So theſe men, whileſt they put off from day to day, and wil have all referred to Councels, in the mean while they build up their wals, whilſt we ſit idle,

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looking after we know not what; that at the laſt, when they have made all ſafe, they may ſhut us out wholly, and neither Councell may be held, not any thing at all done.

For it is worth the paines to obſerve their trickes, and fetches; How often Councels have been ſummoned, and not met! How often a poor rumor hath daſhed all their preparations, and all the expectation! How often have the Fathers made a ſtand upon the ſudden in the middeſt of their journey! How often have the ſcarlet *Counſailers*, ſlipped home in the middeſt of the Councel, having done juſt nothing; and have rejourned the next Seſſion till the ninth or tenth yeer following! How often have they quarrelled with the aire, the victuals, the place, the time! For the Pope only aſſembles the Councels, and he alone diſmiſſeth them when he liſts. If any thing pleaſe him not, or the buſineſſe begin to go awry, preſently the ſolemne cloſe of the Playes is heard, *Valete, & Plaudite*, Farewell, and clap your hands. A Councell is warn'd at *Baſil:* They meet from all parts in great numbers: They fall earneſtly upon many matters: *Eugenius* the Pope is caſt by all the voyces, as a *Simoniacal* and *Schiſmaticall Perſon*: *Amideus* Duke of *Savoy* is put in his place: *Eugenius*, as he was to doe, takes this indignely, thinks with himſelfe, that this might be a dangerous preſident for poſterity: That his power and ſtrength was far above all Councels: That a Councell could not meet but by his command: nor determine of any thing, but what he pleaſed: That it was an ungodly act, to inquire into his life in a *Conventicle* of *Biſhops*: Preſently he cals backe the Councell to *Ferrara* in *Italy*; afterwards traſlates it to *Florence*. Why what doings is this, I pray? Did *Eugenius* think the climate would alter mens mindes, or that the *Holy Ghoſt* would give diſcreeter anſwers in *Italy*, then he had formerly in *Germany*? Nay, nay, in all thoſe changes he ſought not after Chriſt, but his owne benefit. He ſaw that his enemy *Sigiſmond* the Emperour, did overtop him in *Germany*, both in power, and in fauour; And that thoſe Fathers which had met at *Baſil*, if they were remooved out of theſe harſh and rough Countries into *Italy*, they might (as trees when they are tranſplanted) be made more mellow. For now adaies (mercifull God!) the intent or ſcope of Councels, is not to diſcover the truth, or to confute falſhood. For theſe later ages, this hath been the onely indeavour of the Popes, to eſtabliſh the *Romane Tyranny*; to ſet Wars on foote; to ſet *Chriſtian Princes* together by the eares; to raiſe monie, ſometimes for the *Holy Land*, ſometimes for the building of *Saint Peters Church*, ſometimes for other uſes, I know not what, or rather abuſes; all which monie was to be caſt into ſome few bellies, in gluttony, and luſt. And this hath beene the onely cauſe or courſe of Councels for ſome ages laſt paſt. For of errours and abuſes, as if there were none at all, nothing ever could be handled. 15

Peter de Alliaco made great complaint in the Councel of *Conſtance*, concerning the covetouſneſſe and pride of the *Court of Rome*, but what good did he? Was there any part of their controverſie or pride reſtrained by the authority of the Councell? The ſame man ſayes, that Holy daies, and the flocks of idle Monkes ought in his opinion to be leſſened: And another (in a certaine worke intituled, *Tripartite*, and joyned to the *Lateran* Councel) the whole world almoſt, ſayes he, ſpeakes againſt it, and is ſcandalized at the infi- 16

infinite multitude of beggerly Friars. And the Fathers in the *Councell* of *Lateran*, we ſtrictly commaund, ſay they, that for the future no man invent a new religious order. Since that time what hath been done for Holy daies. I know not: it is probable, that no abatement is made. But for the *Orders* of *Monkes*, they are infinitely multiplied. For the laſt *Popes* have added *Jeſuites*, *Capuchins* and *Theatines*; as if there had not beene yet enough of theſe ſlow-bellies. *John Perſon*, Chancellour of *Paris*, exhibited in the *Councell* of *Conſtance*, ſeventy five abuſes in the Church of *Rome*, which he did earneſtly deſire might be reformed. But of ſo great a number, what one abuſe did they take away? *John Gicus Mirandula* writes to Pope *Leo*, to abridge idle ceremonies, and to reſtrain the luxury of *Prieſts*. The *Biſhops* afterwards, in the *Lateran Councel* ſate in great numbers, and moved much expectation. But what one ceremonie did they abate? what one *Prieſts* luxury or lewdneſſe did they condemne. *Mantuan* the Poet complaines by name of the manners of the *Church* of *Rome*. *Bernard* the *Abbot* writes thus to Pope *Eugenius*: your Court receives good men, but makes them not: lewd men thrive there, the good pine and fall away. And ſpeaking of the woefull ſtate of the *Church* in thoſe dayes, From the ſole of the foot ſaith he, to the crowne of the head, there is no health in her. And againe ſayes he, where is there one to preach the acceptable yeere of the Lord? Now a daies, ſaith he, they keepe not *Chriſts* ſpouſe, but deſtroy her; They feed not the Lords flocke but ſlaughter and devoure it. Pope *Adrian* the ſixth, when he ſent his *Legat* into *Germany*, confeſſed truly and ingenuouſly, that the ſtate of the whole *Clergie* was moſt corrupt. All we *Prelates*, ſaies he, have ſwerved every one to his owne way, neither is there now any one that doeth good, no not one. *Albertus Pighius* confeſſes, that in the *Maſſe* it ſelfe, (which they would have to be moſt ſacred, and in which alone they place the main of *Chriſtian Religion*) are found errors & abuſes. What needs more? I paſſe over other witneſſes, for they are infinite. There were many *Councels* held after this; the *Biſhops* were called together; the *Synode* of *Baſil* was ſummoned, as they then made ſhew, expreſly for the reformation of the whole *Clergie*. But ſince that time, the errors have beene increaſed in all places; nay the vices of the *Prieſts* themſelves doubled.

17 The *Cardinals* choſen by Pope *Paul* the third, to conſider of the *State* of of the *Church*, made report, that there were many corruptions in it, eſpecially in the manners of the *Biſhops* and *Clergie* men. That the *Biſhops* were idle; did not inſtruct the people, nor feed the flocke, nor looke to the *Lords* vineyard: that they lived in Princes *Courts*, and kept not home: That the *Cardinals* had ſometimes three, ſometimes foure *Biſhopricks* in *Commendam*, not without great prejudice to the *Church*: for that thoſe offices are not, as they ſay, compatible, or to be held together. That the *Covents* ought to be cleane baniſhed out of the *Church*. Since this, the *Trent Councell* hath beene held: But have the *Biſhops* ſince then begunne to feed the flocke? Have they left their nonreſidence, and living in Princes *Courts*? Have the *Cardinalls* left to be *Biſhops*? Or is it provided, that the *Church* ſuſtaine no prejudice thereby? Hath the number of *Covents* beene abridged, or religion amongſt them reformed? What need then was there of calling together ſo many

Biſhops

Biſhops ſo farre off, or to adviſe ſo many yeeres in vaine of reforming the Church? This is juſt the Phariſees going about to repaire *Gods Church*.

They confeſſe errors and abuſes: they call Councells, and pretend a zeal of Religion and Godlineſſe; they promiſe their paines and endeavors, that that they will joyne with us, to build up againe, whatſoever is fallen down. Juſt ſo, as the enemies of *Gods people* ſaid they would joyne with *Nehemias* to build the *Lords Temple*. For they did not intend the building of the *Lords Temple*, but by all poſſible means to hinder it. They will be reconciled to us, but ſo as *Naas* the Tyrant would go along with the *Jews* of *Jabes* upon no other Conditions, but that we muſt ſuffer our right eyes to be plucked out; that is, that we ſhould ſuffer our ſelves to be bereaved of *Gods Word*, and the Goſpel of our ſalvation. 18

For have they any care of Religion? Care they for *Gods Church*, that care neither for Gods vengeance, nor the ſalvation of the people, nor any part of their own duty? *Let Pan*, ſay they, look to his ſheep; they in the meane time, manage Warrs, Hunt, fare deliciouſly; to ſay no worſe of them, Immortall God! who would beleeve that theſe men ever think of *Gods Church* or *Religion*? What errors will theſe men ever take away or when? What light will they reſtore unto us? Whatſoever you ſay, though you carried the Sunne it ſelfe in your hands, yet they will not ſee. Open errors they excuſe as far as they are able, and colour and ſmooth them, as anciently *Symmachus* or *Porphyrie* did the errors and fopperies of the *Heathen*: And indeed they are wholly ſet upon this, not to ſeeme to have ledde *Gods people* aſtray, or at any time to have erred themſelves. Or if it come in their heads to amend any thing, which either they never doe, or very ſeldome and ſparingly (as it is reported of *Alexander* an *Emperour* of *Rome*, that being not altogether averſe from *Chriſtian Religion*, he worſhipped *Chriſt* and *Orpheus* in the ſame Chappell: and as in times paſt the ancient *Samaritans* did retaine the worſhip of the true *God*, and *Idols* both together.) So they will receive perchance ſome part of the *Goſpell* upon this condition, that therewith they may admit of ſuperſtitions, and old wifes tales: they receive truth, ſo that they may retaine falſhood: they allow of ours, ſo that they may not diſallow their owne: And ſo they doe not take away but colour abuſes and only new plaiſter old Pillars. 19

In this manner doe they reforme *Gods Church*; ſo be the *Councell* and *Synodes* kept: Truth is not followed, but mens affections: The better part is maſtred by the greater. Indeed the very name of a *Generall Councel* carries a glorious luſtre: But yet oftentimes poiſon is carowſed out of a faire cup. For it is not enough for a few *Biſhops* and *Abbots* to have met in one place; The virtue of a *Councel* conſiſts not in *Rochetts*, and *Skarlets*; neither is every *Decree* of a *Councel* preſently to be received for an *Oracle*. That was a *Councell* of which the *Prophet* * *Eſay* writes. 20

* Chap. 30. 1.

That was a *Councel* of which the *Prophet David* ſpeaks, The Kings of the earth ſet themſelves, & the Rulers take counſel together againſt the Lord and againſt his anointed. That was a *Councell* which condemned the *Sonne of God Chriſt Jeſus* to the Croſſe. That was a *Councel* w^ch^ was held at *Carthage* under *Cyprian*; in which it was Decreed that thoſe, who had been baptized 21

by

by *Hereticks*, when they returned to the *Church*, ought to be baptized again. Which errour could not be afterwards repealed by so many *Councels* and writings of the Fathers. What needes many words? The *Second Ephesine Councell* openly took *Eutyches* his part, that the humane nature in *Christ* was turned into his divinitie. The second *Nicene Councell* decreed flatt Idolatrie about adoration of Images. The Councel of *Basil*, as *Albertus Pighius* saies, decreed against all antiquity, against nature, against reason, against the word of *God*. The Councell of *Ariminum* decreed for the *Arrians* most impiously, that *Christ* was not *God*. Many other ensuing Councels, that of *Smyrna*, the *Arrian*, the *Seleucian*, the *Syrmian* did both condemne the *Homousians*, and also subscribe to the impietie of the Councell of *Ariminum*. What would you have more? The Councell of *Chalcedon* it selfe, which was one of those foure that *Gregory* compares to the foure Gospells, Pope *Leo* did not sticke to challenge it of unadvisednesse.

21 Therefore we see *Councels* have been often opposite one to another: And as *Leo* the *Pope* abrogated the Acts of *Adrian*, *Stephanus* of *Formosus*, *Iohn* of *Stephanus*; And as *Sabinian* the *Pope* commanded all *Pope Gregories* writings to be burnt, as erronious and impious: So we see oftentimes that a later *Councell*, hath repealed all the Decrees of a former. The *Carthage Councel* decreed, that the *Bishop* of *Rome* should not be called either *The High Priest*, or *The chiefe of Priests*, or by any other the like name. But following *Councels* have stiled him, not onely *Chiefe Priest*, but also *Chiefe Bishop*, and *Head* of the *Catholique Church*. The *Eliberine Councell* decreed that nothing should be painted on the wals of *Churches*, that ought of right to be worshipped. The *Councell* of *Constantinople* decreed that *Images* were not to be suffered in *Christian Churches*. On the other side, the second *Nicen Councell* determined, that *Images* were not onely to be placed in *Churches*, but also to be worshipped. The *Lateran* Councell under Pope *Julius* the second, was summoned for no other cause, but to repeale the Decrees of the *Pisan* Councell. So oftentimes the later Bishops oppose those that went before them, and Councels damme up one anothers lights. For these men will not be tied, no not to their owne Councels, but as far as they please, and is commodious for them, & wil bring grist to their Mill. The *Basil* Councel determined that a Councel of Bishops was above the *Pope*. But the *Lateran* Councel under *Leo* decreed, that the Pope was above the Councell. And the Pope does not only bear himself so, but also commands him to be held for an heretike that shall think otherwise. But yet all the Bishops and Abbats in the Councel of *Basil* say thus, he that opposeth these truths is to be accounted an heretike. How wil you behave your self, I beseech you! Whatsoever you say or think, either the Pope or the Councell will esteeme you an heretique. All Popes, for some ages last past, have opposed these truths: Therefore all Popes, that lived in these ages, have been heretiques, in the judgement of the Councel of *Basil*. The same Councell did with an uniforme consent remoove Pope *Eugenius*, a Simoniacal & Schismatical person, and put *Amideus* in his place. But *Eugenius* vilifies the Councels Decree; and though he were most Simoniacall and Schismaticall, yet he continued to be the Successor of *Peter*, the Vicar of CHRIST, and Head of the whole Church of GOD. He retained

ned his former dignity in deſpight of all their teeth, and was magnificently carried, as before, upon noble mens ſhoulders. *Amideus* as one fallen from his horſe, walked on foot like a ſimple man, and thought himſelfe happy, that of a *Pope* he was made a Cardinall. The Councell of *Trent* commanded that Biſhops ſhould teach the people, and that no one man ſhould have more then one Spirituall preferment at one time: But they, contrary to the Edict of their Councell, accumulate Benefices, and inſtruct not at all. So they make Lawes, but obey them not, but when they liſt. This is the eſteeme they have alwayes made of their owne Councels, and the Decrees thereof.

And why ſhould we hope for better ſucceſſe at this preſent? With what expectation or hope can any one come to the Councell? Doe but thinke with your ſelfe what manner of men they bee, upon whoſe fidelity learning and judgement, the weight of this whole Councell, the diſcuſsing of all queſtions, and the whole eſtate of all things muſt lie and reſt. They are called Abbots and Biſhops, grave perſons, and faire titles, men) as it is beleeved) of great importance for the government of the Church of GOD. But take from theſe men their titles, the perſons they beare, and their trappings, there will nothing that belongeth to an Abbot or a Biſhop remain in them. For they are not miniſters of CHRIST, diſpenſers of the myſteries of GOD; they apply not themſelves to reading, or to preach the Goſpell; they feed not the flocke, they till not the ground, they plant not the Lords Vineyard, nor kindle the fire, nor beare the Arke of the Lord, nor are the Ambaſſadours of CHRIST: they watch not, nor do the worke of an Evangeliſt, nor performe the duty of their miniſtery: they intangle themſelves with ſecular buſineſſes; they hide the Lords treaſure, they take away the keyes of the Kingdome of God; they goe not in themſelves, nor ſuffer others; they beat their fellow ſervants, they feed themſelves, and not the flocke: they ſleepe, ſnort, feaſt and ryot: they are cloudes without water, ſtarres without light, dumbe dogges, ſlow bellies; as *Bernard* ſaith, not Prelates, but Pilats; not Doctours, but ſeducers; not Paſtors, but impoſters: The ſervants of CHRIST (ſaith he) ſerve Antichriſt. The Popes will allow none but theſe to have place and ſuffrage in the Councell. The care & charge of *Chriſt's* Catholike Church muſt depend upon their power and judgement: Vpon none but ſuch as theſe doth Pope *Pius* relye. But (good GOD) what manner of perſons are they? They hold it ridiculous to aske that queſtion. It is no matter (ſay they) how learned, or how religious they be; what their aime is, or what they thinke: If they can ſit upon a Mule; if they can ride through the ſtreetes with pompe, and with a noyſe; if they can come into the Councell, and ſay nothing, it is ſufficient. If you beleeve me not, and thinke I ſpeake in jeſt, heare what the faculty of Divinity, & the whole *Sorbone*, have determined concerning this matter. That which our great maſters affirme (ſay they) concerning the due aſſembling of a Councell, is to be underſtood thus; that for the lawfull calling of a Councell it is ſufficient, that the forme of Law be ſolemnly obſerved. For if it ſhould be diſputed, whether the Prelates there aſſembled have a good intention; whether they be learned, eſpecially in the Scriptures, and 22

are willing to obey wholeſome doctrine, it would prove an infinite buſineſſe. Thoſe, forſooth, who ſit mute, like the ſtatues of *Mercury*, not knowing what belongs to Religion, will determine well concerning all points of Religion, and, whatſoever they ſay, they cannot poſsibly erre.

23 Theſe are obliged to the Pope, not through error and ignorance, but by oath and Religion: So that although they ſhould underſtand the truth, they cannot without perjury make profeſsion of it, and are neceſsitated to break faith, either with God or man. For this is the formal oath w^ch^ they all take. I N. C. Biſhop, will henceforward bear true faith to *S. Peter*, & to the holy Apoſtolike Roman Church, to my lord the Pope N. & his ſucceſſors, which ſhall enter canonically. I will not be a meanes, either by word or deed, that he may looſe, either life or member, or be taken priſoner: I will not reveal any Councell that hee ſhall impart unto me, either by letters or meſſage, which may be any way dammageable to him: I wil help to defend & maintaine againſt all the world the Papacy of the Church of *Rome*, & the rules of the holy fathers. In old time, when the Prieſts of *Apollo Pythius* began to ſpeak plainly in favour of King *Philip*, many would merrily ſay, that *Apollo* began to *Phillippize*. When we ſee that nothing is decreed in the Councel, but at the Popes pleaſure, why may we not ſay that the oracles of the Councels doe *Papize*; that is, ſay nothing but what the Pope will. When *Verres* was charged with many crimes, of w^ch^ in probability he was guilty, they ſay he was ſo wiſe, as not to commit his triall to any, but only to ſome truſty perſons of his owne train. The Popes have dealt more wiſely: For they have choſen ſuch judges, whom they know neither will (becauſe it is their owne caſe, in regard they refer all to voluptuouſneſſe & gluttony) nor can if they would (becauſe they are ſworne, decree any thing contrary to his will and pleaſure. They ſet the holy Bible in the midſt, as if they would doe nothing againſt it; they looke upon it afarre off, and read it not. Indeed they bring a prejudicated opinion with them, not regarding what *Chriſt* hath ſaid, but decreeing whatſoever they pleaſe.

24 Therefore that liberty w^ch^ ought to be in all conſultations, eſpecially ſacred, & which is moſt proper to the *holy Ghoſt*, and the modeſty of Chriſti-
2 Cor. 14. 30 ans, is quite taken away. *Paul* ſaith, If any thing be revealed to another that ſitteth by, let the firſt hold his peace: But theſe men apprehend, impriſon and burne whoſoever dareth but whiſper againſt them. Witneſſe hereof the cruell death of two moſt holy and reſolute men, *John Huſſe* and *Hierom* of *Prague*, whō they put to death contrary to their ſafe conduct, & ſo brake their faith, both with God & man. So the wicked Prophet *Zedekias*, when he had put on iron hornes, ſtrook, *Micheas* the Prophet of the Lord on the face, ſaying, how hath the ſpirit of God left me, & is come to thee? Therefore theſe men alone domineer in Councels, all others being excluded: they alone give voices, and make lawes; like unto the *Epheſians* in times paſt: let no man (ſay they) live here, who is wiſer then the reſt, except he have a mind to be caſt into baniſhment They will not hear any of our men ſpeak. In the laſt convention of the Councel at *Trent*, ten yeers ſince, the Ambaſſadors of the Princes & free Cities of *Germany* came thither with a purpoſe to be heard, but were abſolutely refuſed. For the Biſhops and Abbots anſwered

ſwered that they would not ſuffer their cauſe to have a free hearing, nor ſuffer controverſies to be diſcuſſed out of the word of God: that our men were not to be heard at all except they would recant; which if they refuſed to doe, they ſhould come into the Councel upon none other condition but to heare the ſentence of condemnation pronounced againſt them. For *Julius* the third in his Bull of indiction of the Councell declared plainly that either they ſhould change their opinions, or elſe ſhould be condemned for heretiques before they were heard. *Pius* the fourth, who hath now a purpoſe to reaſſemble the Councell, hath already prejudged for heretiques all thoſe who have left the Roman Church, that is to ſay, the greateſt part of the Chriſtian world, before they were ever either ſeen or heard. They ſay, and they ſay it ſo often, that already all is well with them, and that they will not alter one jot of their doctrine and religion. *Albertus Vighius* ſaith, that without the authority of the Roman Church one ought not to beleeve the cleereſt and plaineſt Scripture Is this to reſtore the Church to her integrity? Is this to ſeeke the truth? Is this the liberty and moderation of Councels.

Though theſe things bee moſt unjuſt, and moſt different from the fa- 25
ſhion of ancient Councels and of modeſt men, yet this is more unjuſt, that whereas the world complaineth of the Papall pride and tyranny, and doth beleeve that nothing can be amended in the Church of God untill he be reduced into order, yet al things are referred unto him, as unto a moſt conſcienCious peacemaker and judge. And unto what a kind of man (good God) are they referred? I will not call him an enemy of the Truth, ambitious, covetous, proud, intolerable, even to his own followers. But they would make judge of all religion him who comandeth that all his determinations ſhall bee of equall value with thoſe of Saint *Peter* himſelfe, and ſaith, that in caſe he carry a thouſand ſoules with himſelfe to hell, yet no man ought to reprehend him for it: who avoucheth that he can make injuſtice to be juſtice: whom *Camotenſis* affirmeth to have corrupted the Scriptures, that he might have fulneſſe of power: and to conclude, whom his owne familiars and followers (*Joachimus Abbas, Petrach, Marcilius Patavinus, Laurentius Valla, Hieronymus Savanorola*) doe cleerely prenounce to be The *Antichriſt*. All is referred to the judgement and will of this man alone, ſo that the ſame man is the party arraigned, and the Iudge: the accuſers are heard from an inferiour place; and the party accuſed ſits in his Tribunall, and pronounceth the ſentence concerning himſelfe Theſe laws, forſooth, ſo equall, and ſo reaſonable, Pope *Julius* hath given us. No Councel (ſaith he) is of any credit, nor never wil be unles it be confirmed by the authority of the church of *Rome*. *Bonifacius* 8 ſaith, that no creature in the world con poſsibly be ſaved, except he be ſubject to the *Romane* Church. And Pope *Paſchal* thus; As though, ſaith he, any Councels have made lawes for the Church of *Rome*, when as all Councels doe ſubſiſt by it, and receive their ſtrength from it, and doe expreſly except in all their Decrees the authority of the Biſhop of *Rome*. Another ſaith, That which the Pope approveth or diſprooveth, we ought to approove or diſproove likewiſe. And againe, It is not lawfull for any man to diſallow that which the Pope approoveth. I

infinite multitude of beggerly Friars. And the Fathers in the *Councell* of *Lateran*, we ſtrictly commaund, ſay they, that for the future no man invent a new religious order. Since that time what hath been done for Holy daies. I know not: it is probable, that no abatement is made. But for the *Orders* of *Monkes*, they are infinitely multiplied. For the laſt *Popes* have added *Jeſuites*, *Capuchins* and *Theatines*; as if there had not beene yet enough of theſe ſlow-bellies. *John Perſon*, Chancellour of *Paris*, exhibited in the *Councell* of *Conſtance*, ſeventy five abuſes in the Church of *Rome*, which he did earneſtly deſire might be reformed. But of ſo great a number, what one abuſe did they take away? *John Gicus Mirandula* writes to Pope *Leo*, to abridge idle ceremonies, and to reſtrain the luxury of *Prieſts*. The *Biſhops* afterwards, in the *Lateran Councel* ſate in great numbers, and moved much expectation. But what one ceremonie did they abate? what one *Prieſts* luxury or lewdneſſe did they condemne. *Mantuan* the Poet complaines by name of the manners of the *Church* of *Rome*. *Bernard* the *Abbot* writes thus to Pope *Eugenius*: your Court receives good men, but makes them not: lewd men thrive there, the good pine and fall away. And ſpeaking of the woefull ſtate of the *Church* in thoſe dayes, From the ſole of the foot ſaith he, to the crowne of the head, there is no health in her. And againe ſayes he, where is there one to preach the acceptable yeere of the Lord? Now a daies, ſaith he, they keepe not *Chriſts* ſpouſe, but deſtroy her; They feed not the Lords flocke but ſlaughter and devoure it. Pope *Adrian* the ſixth, when he ſent his *Legat* into *Germany*, confeſſed truly and ingenuouſly, that the ſtate of the whole *Clergie* was moſt corrupt. All we *Prelates*, ſaies he, have ſwerved every one to his owne way, neither is there now any one that doeth good, no not one. *Albertus Pighius* confeſſes, that in the *Maſſe* it ſelfe, (which they would have to be moſt ſacred, and in which alone they place the main of *Chriſtian Religion*) are found errors & abuſes. What needs more? I paſſe over other witneſſes, for they are infinite. There were many *Councels* held after this; the *Biſhops* were called together; the *Synode* of *Baſil* was ſummoned, as they then made ſhew, expreſly for the reformation of the whole *Clergie*. But ſince that time, the errors have beene increaſed in all places; nay the vices of the *Prieſts* themſelves doubled.

17 The *Cardinals* choſen by Pope *Paul* the third, to conſider of the *State* of of the *Church*, made report, that there were many corruptions in it, eſpecially in the manners of the *Biſhops* and *Clergie* men. That the *Biſhops* were idle; did not inſtruct the people, nor feed the flocke, nor looke to the *Lords* vineyard: that they liyed in Princes *Courts*, and kept not home: That the *Cardinals* had ſometimes three, ſometimes foure *Biſhopricks* in *Commendam*, not without great prejudice to the *Church*: for that thoſe offices are not, as they ſay, compatible, or to be held together. That the *Covents* ought to be cleane baniſhed out of the *Church*. Since this, the *Trent Councell* hath beene held: But have the *Biſhops* ſince then begunne to feed the flocke? Have they left their nonreſidence, and living in Princes *Courts*? Have the *Cardinalls* left to be *Biſhops*? Or is it provided, that the *Church* ſuſtaine no prejudice thereby? Hath the number of *Covents* beene abridged, or religion amongſt them reformed? What need then was there of calling together ſo many

Biſhops

Biſhops ſo farre off, or to adviſe ſo many yeeres in vaine of reforming the Church? This is juſt the Phariſees going about to repaire *Gods Church*.

They confeſſe errors and abuſes: they call Councells, and pretend a zeal of Religion and Godlineſſe; they promiſe their paines and endeavors, that that they will joyne with us, to build up againe, whatſoever is fallen down. Juſt ſo, as the enemies of *Gods people* ſaid they would joyne with *Nehemias* to build the *Lords Temple*. For they did not intend the building of the *Lords Temple*, but by all poſſible means to hinder it. They will be reconciled to us, but ſo as *Naas* the Tyrant would go along with the *Jews* of *Jabes* upon no other Conditions, but that we muſt ſuffer our right eyes to be plucked out; that is, that we ſhould ſuffer our ſelves to be bereaved of *Gods Word*, and the Goſpel of our ſalvation. 18

For have they any care of Religion? Care they for *Gods Church*, that care neither for Gods vengeance, nor the ſalvation of the people, nor any part of their own duty? Let *Pan*, ſay they, look to his ſheep; they in the meane time, manage Warrs, Hunt, fare deliciouſly; to ſay no worſe of them, Immortall God! who would beleeve that theſe men ever think of *Gods Church* or *Religion*? What errors will theſe men ever take away or when? What light will they reſtore unto us? Whatſoever you ſay, though you carried the Sunne it ſelfe in your hands, yet they will not ſee. Open errors they excuſe as far as they are able, and colour and ſmooth them, as anciently *Symmachus* or *Porphyrie* did the errors and fopperies of the *Heathen*: And indeed they are wholly ſet upon this, not to ſeeme to have ledde *Gods people* aſtray, or at any time to have erred themſelves. Or if it come in their heads to amend any thing, which either they never doe, or very ſeldome and ſparingly (as it is reported of *Alexander* an *Emperour* of *Rome*, that being not altogether averſe from *Chriſtian Religion*, he worſhipped *Chriſt* and *Orpheus* in the ſame Chappell: and as in times paſt the ancient *Samaritans* did retaine the worſhip of the true *God*, and *Idols* both together.) So they will receive perchance ſome part of the *Goſpell* upon this condition, that therewith they may admit of ſuperſtitions, and old wifes tales: they receive truth, ſo that they may retaine falſhood: they allow of ours, ſo that they may not diſallow their owne: And ſo they doe not take away but colour abuſes and only new plaiſter old Pillars. 19

In this manner doe they reforme *Gods Church*; ſo be the *Councell* and *Synodes* kept: Truth is not followed, but mens affections: The better part is maſtred by the greater. Indeed the very name of a *Generall Councel* carries a glorious luſtre: But yet oftentimes poiſon is carowſed out of a faire cup. For it is not enough for a few *Biſhops* and *Abbots* to have met in one place; The virtue of a *Councel* conſiſts not in *Rochetts*, and *Skarlets*; neither is every *Decree* of a *Councel* preſently to be received for an *Oracle*. That was a *Councell* of which the *Prophet* * *Eſay* writes. 20

* Chap 30.1.

That was a *Councel* of which the *Prophet David* ſpeaks, The Kings of the earth ſet themſelves, & the Rulers take counſel together againſt the Lord and againſt his anointed. That was a *Councell* which condemned the *Sonne of God Chriſt Jeſus* to the Croſſe. That was a *Councel* w^ch^ was held at *Carthage* under *Cyprian*; in which it was Decreed that thoſe, who had been baptized 21

by

by *Hereticks*, when they returned to the *Church*, ought to be baptized again. Which errour could not be afterwards repealed by ſo many *Councels* and writings of the Fathers. What needes many words? The *Second Epheſine Councell* openly took *Eutyches* his part, that the humane nature in *Chriſt* was turned into his divinitie. The ſecond *Nicene Councell* decreed flatt Idolatrie about adoration of Images. The Councel of *Baſil*, as *Albertus Pighius* ſaies, decreed againſt all antiquity, againſt nature, againſt reaſon, againſt the word of *God*. The Countell of *Ariminum* decreed for the *Arrians* moſt impiouſly, that *Chriſt* was not *God*. Many other enſuing Councels, that of *Smyrna*, the *Arrian*, the *Seleucian*, the *Syrmian* did both condemne the *Homouſians*, and alſo ſubſcribe to the impietie of the Councell of *Ariminum*. What would you have more? The Councell of *Chalcedon* it ſelfe, which was one of thoſe foure that *Gregory* compares to the foure Goſpells, Pope *Leo* did not ſticke to challenge it of unadviſedneſſe.

21 Therefore we ſee *Councels* have been often oppoſite one to another: And as *Leo* the *Pope* abrogated the Acts of *Adrian*, *Stephanus* of *Formoſus*, *John* of *Stephanus*; And as *Sabinian* the *Pope* commanded all *Pope Gregories* writings to be burnt, as erronious and impious: So we ſee oftentimes that a later *Councell*, hath repealed all the Decrees of a former. The *Carthage Councel* decreed, that the *Biſhop* of *Rome* ſhould not be called either *The High Prieſt*, or *The chiefe of Prieſts*, or by any other the like name. But following *Councels* have ſtiled him, not onely *Chiefe Prieſt*, but alſo *Chiefe Biſhop*, and *Head* of the *Catholique Church*. The *Eliberine Councell* decreed that nothing ſhould be painted on the wals of *Churches*, that ought of right to be worſhipped. The *Councell* of *Conſtantinople* decreed that *Images* were not to be ſuffered in *Chriſtian Churches*. On the other ſide, the ſecond *Nicen Councell* determined, that *Images* were not onely to be placed in *Churches*, but alſo to be worſhipped. The *Lateran* Councell under Pope *Julius* the ſecond, was ſummoned for no other cauſe, but to repeale the Decrees of the *Piſan* Councell. So oftentimes the later Biſhops oppoſe thoſe that went before them, and Councels damme up one anothers lights. For theſe men will not be tied, no not to their owne Councels, but as far as they pleaſe, and is commodious for them, & wil bring griſt to their Mill. The *Baſil* Councel determined that a Councel of Biſhops was above the *Pope*. But the *Lateran* Councel under *Leo* decreed, that the Pope was above the Councell. And the Pope does not only bear himſelf ſo, but alſo commands him to be held for an heretike that ſhall think otherwiſe. But yet all the Biſhops and Abbats in the Councel of *Baſil* ſay thus, he that oppoſeth theſe truths is to be accounted an heretike. How wil you behave your ſelf, I beſeech you! Whatſoever you ſay or think, either the Pope or the Councell will eſteeme you an heretique. All Popes, for ſome ages laſt paſt, have oppoſed theſe truths: Therefore all Popes, that lived in theſe ages, have been heretiques, in the judgement of the Councel of *Baſil*. The ſame Councell did with an uniforme conſent remoove Pope *Eugenius*, a Simoniacal & Schiſmatical perſon, and put *Amideus* in his place. But *Eugenius* vilifies the Councels Decree; and though he were moſt Simoniacall and Schiſmaticall, yet he continued to be the Succeſſor of *Peter*, the Vicar of CHRIST, and Head of the whole Church of GOD. He retained

ned his former dignity in deſpight of all their teeth, and was magnificently carried, as before, upon noble mens ſhoulders. *Amideus* as one fallen from his horſe, walked on foot like a ſimple man, and thought himſelfe happy, that of a *Pope* he was made a Cardinall. The Councell of *Trent* commanded that Biſhops ſhould teach the people, and that no one man ſhould have more then one Spirituall preferment at one time: But they, contrary to the Edict of their Councell, accumulate Benefices, and inſtruct not at all. So they make Lawes, but obey them not, but when they liſt. This is the eſteeme they have alwayes made of their owne Councels, and the Decrees thereof.

And why ſhould we hope for better ſucceſſe at this preſent? With what expectation or hope can any one come to the Councell? Doe but thinke with your ſelfe what manner of men they bee, upon whoſe fidelity learning and judgement, the weight of this whole Councell, the diſcuſsing of all queſtions, and the whole eſtate of all things muſt lie and reſt. They are called Abbots and Biſhops, grave perſons, and faire titles, men) as it is beleeved) of great importance for the government of the Church of GOD. But take from theſe men their titles, the perſons they beare, and their trappings, there will nothing that belongeth to an Abbot or a Biſhop remain in them. For they are not miniſters of CHRIST, diſpenſers of the myſteries of GOD; they apply not themſelves to reading, or to preach the Goſpell; they feed not the flocke, they till not the ground, they plant not the Lords Vineyard, nor kindle the fire, nor beare the Arke of the Lord, nor are the Ambaſſadours of CHRIST: they watch not, nor do the worke of an Evangeliſt, nor performe the duty of their miniſtery: they intangle themſelves with ſecular buſineſſes; they hide the Lords treaſure, they take away the keyes of the Kingdome of God; they goe not in themſelves, nor ſuffer others; they beat their fellow ſervants, they feed themſelves, and not the flocke: they ſleepe, ſnort, feaſt and ryot: they are cloudes without water, ſtarres without light, dumbe dogges, ſlow bellies; as *Bernard* ſaith, not Prelates, but Pilats; not Doctours, but ſeducers; not Paſtors, but impoſters: The ſervants of CHRIST (ſaith he) ſerve Antichriſt. The Popes will allow none but theſe to have place and ſuffrage in the Councell. The care & charge of *Chriſt's* Catholike Church muſt depend upon their power and judgement: Vpon none but ſuch as theſe doth Pope *Pius* relye. But (good GOD) what manner of perſons are they? They hold it ridiculous to aske that queſtion. It is no matter (ſay they) how learned, or how religious they be; what their aime is, or what they thinke: If they can ſit upon a Mule; if they can ride through the ſtreetes with pompe, and with a noyſe; if they can come into the Councell, and ſay nothing, it is ſufficient. If you beleeve me not, and thinke I ſpeake in jeſt, heare what the faculty of Divinity, & the whole *Sorbone*, have determined concerning this matter. That which our great maſters affirme (ſay they) concerning the due aſſembling of a Councell, is to be underſtood thus; that for the lawfull calling of a Councell it is ſufficient, that the forme of Law be ſolemnly obſerved. For if it ſhould be diſputed, whether the Prelates there aſſembled have a good intention; whether they be learned, eſpecially in the Scriptures, and 22

are willing to obey wholeſome doctrine, it would prove an infinite buſineſſe. Thoſe, forſooth, who ſit mute, like the ſtatues of *Mercury*, not knowing what belongs to Religion, will determine well concerning all points of Religion, and, whatſoever they ſay, they cannot poſsibly erre.

23 Theſe are obliged to the Pope, not through error and ignorance, but by oath and Religion: So that although they ſhould underſtand the truth, they cannot without perjury make profeſsion of it, and are neceſsitated to break faith, either with God or man. For this is the formal oath wᶜʰ they all take. I N. C. Biſhop, will henceforward bear true faith to *S. Peter*, & to the holy Apoſtolike Roman Church, to my lord the Pope N. & his ſucceſſors, which ſhall enter canonically. I will not be a meanes, either by word or deed, that he may looſe, either life or member, or be taken priſoner: I will not reveal any Councell that hee ſhall impart unto me, either by letters or meſſage, which may be any way dammageable to him: I wil help to defend & maintaine againſt all the world the Papacy of the Church of *Rome*, & the rules of the holy fathers. In old time, when the Prieſts of *Apollo Pythius* began to ſpeak plainly in favour of King *Philip*, many would merrily ſay, that *Apollo* began to *Phillippize*. When we ſee that nothing is decreed in the Councel, but at the Popes pleaſure, why may we not ſay that the oracles of the Councels doe *Papize*; that is, ſay nothing but what the Pope will. When *Verres* was charged with many crimes, of wᶜʰ in probability he was guitly, they ſay he was ſo wiſe, as not to commit his triall to any, but only to ſome truſty perſons of his owne train. The Popes have dealt more wiſely: For they have choſen ſuch judges, whom they know neither will (becauſe it is their owne caſe, in regard they refer all to voluptuouſneſſe & gluttony) nor can if they would (becauſe they are ſworne, decree any thing contrary to his will and pleaſure. They ſet the holy Bible in the midſt, as if they would doe nothing againſt it; they looke upon it afarre off, and read it not. Indeed they bring a prejudicated opinion with them, not regarding what *Chriſt* hath ſaid, but decreeing whatſoever they pleaſe.

24 Therefore that liberty wᶜʰ ought to be in all conſultations, eſpecially ſacred, & which is moſt proper to the *holy Ghoſt*, and the modeſty of Chriſtians, is quite taken away. *Paul* ſaith, If any thing be revealed to another that ſitteth by, let the firſt hold his peace: But theſe men apprehend, impriſon and burne whoſoever dareth but whiſper againſt them. Witneſſe hereof the cruell death of two moſt holy and reſolute men, *John Huſſe* and *Hierom* of *Prague*, whō they put to death contrary to their ſafe conduct, & ſo brake their faith, both with God & man. So the wicked Prophet *Zedekias*, when he had put on iron hornes, ſtrook, *Micheas* the Prophet of the Lord on the face, ſaying, how hath the ſpirit of God left me, & is come to thee? Therefore theſe men alone domineer in Councels, all others being excluded: they alone give voices, and make lawes; like unto the *Epheſians* in times paſt: let no man (ſay they) live here, who is wiſer then the reſt, except he have a mind to be caſt into baniſhment They will not hear any of our men ſpeak. In the laſt convention of the Councel at *Trent*, ten yeers ſince, the Ambaſſadors of the Princes & free Cities of *Germany* came thither with a purpoſe to be heard, but were abſolutely refuſed. For the Biſhops and Abbots an-

2 Cor. 14. 30

ſwered

ſwered that they would not ſuffer their cauſe to have a free hearing, nor ſuffer controverſies to be diſcuſſed out of the word of God: that our men were not to be heard at all except they would recant; which if they refuſed to doe, they ſhould come into the Councel upon none other condition but to heare the ſentence of condemnation pronounced againſt them. For *Julius* the third in his Bull of indiction of the Councell declared plainly that either they ſhould change their opinions, or elſe ſhould be condemned for heretiques before they were heard. *Pius* the fourth, who hath now a purpoſe to reaſſemble the Councell, hath already prejudged for heretiques all thoſe who have left the Roman Church, that is to ſay, the greateſt part of the Chriſtian world, before they were ever either ſeen or heard. They ſay, and they ſay it ſo often, that already all is well with them, and that they will not alter one jot of their doctrine and religion. *Albertus Vighius* ſaith, that without the authority of the Roman Church one ought not to beleeve the cleereſt and plaineſt Scripture Is this to reſtore the Church to her integrity? Is this to ſeeke the truth? Is this the liberty and moderation of Councels.

Though theſe things bee moſt unjuſt, and moſt different from the fa- 25
ſhion of ancient Councels and of modeſt men, yet this is more unjuſt, that whereas the world complaineth of the Papall pride and tyranny, and doth beleeve that nothing can be amended in the Church of God untill he be reduced into order, yet al things are referred unto him, as unto a moſt conſciencious peacemaker and judge. And unto what a kind of man (good God) are they referred? I will not call him an enemy of the Truth, ambitious, covetous, proud, intolerable, even to his own followers. But they would make judge of all religion him who comandeth that all his determinations ſhall bee of equall value with thoſe of Saint *Peter* himſelfe, and ſaith, that in caſe he carry a thouſand ſoules with himſelfe to hell, yet no man ought to reprehend him for it: who avoucheth that he can make injuſtice to be juſtice: whom *Camotenſis* affirmeth to have corrupted the Scriptures, that he might have fulneſſe of power: and to conclude, whom his owne familiars and followers (*Joachimus Abbas, Petrach, Marcilius Patavinus, Laurentius Valla, Hieronymus Savanorola*) doe cleerely prenounce to be The *antichriſt*. All is referred to the judgement and will of this man alone, ſo that the ſame man is the party arraigned, and the Iudge: the accuſers are heard from an inferiour place; and the party accuſed ſits in his Tribunall, and pronounceth the ſentence concerning himſelfe Theſe laws, forſooth, ſo equall, and ſo reaſonable, Pope *Julius* hath given us. No Councel (ſaith he) is of any credit, nor never wil be unles it be confirmed by the authority of the church of *Rome*. *Bonifacius* 8 ſaith, that no creature in the world con poſsibly be ſaved, except he be ſubject to the *Romane* Church. And Pope *Paſchal* thus; As though, ſaith he, any Councels have made lawes for the Church of *Rome*, when as all Councels doe ſubſiſt by it, and receive their ſtrength from it, and doe expreſly except in all their Decrees the authority of the Biſhop of *Rome*. Another ſaith, That which the Pope approveth or diſprooveth, we ought to approove or diſproove likewiſe. And againe, It is not lawfull for any man to diſallow that which the Pope approoveth. I

know not what Paraſite it is who moſt ſhameleſly ſaith, that though all the world ſhould be of one opinion againſt the Pope, yet it ſeemeth to me that the Popes opinion muſt be maintained. And another as impudently as hee; It is a kinde of ſacriledge but to diſpute of the Popes fact, who though hee be not alwayes a good man, yet muſt hee alwayes be preſumed to be. Another yet more impudently ſaith, The Pope's will is heavenly; therefore in thoſe things which hee willeth, his will ſtandeth for reaſon; neither ought any man to ſay to him, why doe you ſo? To leave many the like ſayings, which are infinite, and to make an end, Pope *Innocent* the ninth ſpeakes moſt impudently of all; The Iudge will not be judged, neither by the Emperour, nor by Kings, nor by the whole Clergie, nor by all the people of the world. O immortall God! how neere are they come to ſay thus; I will aſcend upon the North-pole, and I will be like to the moſt High. If the Popes ſay true, what need we a Councell? If they will hold a ſincere and a free Councell, away with theſe wicked and vainglorious lyes: Let them not onely not be practiſed, but let them even be raſed out of all their Bookes, that all may not bee left to the will and pleaſure of one man who is moſt juſtly ſuſpected. But the Popes, ſay they, cannot erre, and that the word of GOD is to bee regulated as they pleaſe: Before they enter into their place they ſweare to maintaine certaine late Councels, which are moſt fowlly corrupted, and doe religiouſly promiſe that nothing ſhall be changed. What marvaile then that no good comes of a Councell, if that errors and abuſes are not taken away? that the Ambaſſadours of Princes are in vain called thither from ſo many remote parts? Notwithſtanding I heare that now there are ſome men, not ill affected, yet careleſſe what they ſay, who, though they condemne the arrogancie and *Perſian* pride of the Pope, and his even *Epicurean* contempt of Religion, yet they deſire that his authority ſhould be maintained: Though they ſometimes confeſſe him to be Antichriſt, yet being mounted unto that chayre, they doubt not but that he is *Univerſall Biſhop* & head of the whole Church of CHRIST. Here they triumph and pleaſe themſelves, as if the *Holy Ghoſt* were affixed to the Popes palace. Yet the ſaying is, The place doth not ſanctifie the man, but the man the place. And *Hierome*, as he is cited by them, ſaith, that, They are not ſons of the Saints who hold their places, but who imitate their deeds. Likewiſe *Chriſt* telleth us, that the Scribes and Phariſees ſit in *Moſes* chaire; but warneth us not to allow of their authority further then they ſpeake out of the word of God. *Auguſtine* ſaith, What ſaid *Chriſt* but this; Heare the voyce of the Shepherd even by hirelings? For by ſitting in the chayre they teach the Law of God; therefore God doth inſtruct us by them If they will teach ought of their own, heare them not, do it not Likewiſe *Paul* ſaith, that Antichriſt, that man of ſin, muſt ſit in the Temple *Hierome* ſaith, Well, doeſt thou conſider *Peter*? conſider *Judas* alſo: doſt thou allow of *Stephen*? marke alſo what *Nicholas* was. Eccleſiaſticall dignity maketh not a Chriſtian. Thus farre *Hierome*. It is reported that Pope *Marcellinus* ſacrificed to Idoles; that Pope *Liberius* was an *Arrian*; that Pope *John* the 22 had an impious opinion concerning the immortality of the ſoule; that Pope *Iohn* the 8. was a woman, that ſhe commit-

mitted adultery during her Papacie, and going pompouſly in proceſſion about the Citie, was delivered of a child, even in the very ſight of the Biſhops and Cardinals. And *Liranus* affirmeth, that many popes have turned infidels. Wherefore we muſt not be too confident of places, and ſucceſsions, and vaine titles of dignities. Wicked *Nero* ſucceeded godly *Metellus*. *Annas* and *Caiaphas* ſucceeded *Aaron*: and oftentimes Idoles are put in the place of GOD.

But what I pray you is this great power and authority, whereof they 26
do ſo inſolently boaſt? whence comes it? From heaven, or of men? Chriſt ſpake unto *Peter*, ſay they; upon this rocke I will build my Church; by which words the Popes authority is confirmed. For the Church of Chriſt is placed in *Peter*, as in the foundation. But Chriſt gave nothing to *Peter* by theſe words more then to the other Apoſtles: neither doth hee make mention of the Pope, or of *Rome*. Chriſt is that rocke; Chriſt is that foundation. No man, ſaith Saint *Paul*, can lay another foundation then that which is already laid, which is *Chriſt Jeſus*.

Theſe words, upon this rocke I will build my Church, Saint *Auguſtine* 27
expoundeth thus: upon this, ſaith he, which *Peter* confeſſed, ſaying, Thou art *Chriſt* the ſonne of the living God. It is not ſaid thou art the rock, but thou art *Peter*. the rock was *Chriſt*. Saint *Baſil* ſaith thus: upon this rock, that is, upon this faith I will bnild my Church. *Origen*, that moſt ancient Father, ſaith that every diſciple is a rocke, after that he hath drunke of that ſpirituall rock; and upon ſuch a rock all the doctrine of the Church is builded. But if thou thinkeſt that the whole is built upon *Peter* onely, what ſayeſt thou of *Iohn* the ſonne of thunder, and of each of the Apoſtles. For ſhall we be ſo bold as to ſay, the Gates of hell ſhall not prevaile againſt *Peter* onely, and they ſhall prevaile againſt the reſt of the Apoſtles; and againſt good men? Or ſhall wee not rather ſay, let that which is ſpoken (and the Gates of hell ſhall not prevaile againſt him; and that other, upon this rocke I will build my Church) be true in every one of thoſe of whom it was ſpoken. Were the keyes of the kingdome given to *Peter* onely, ſo that none of the other Saints might meddle with them. Then if this ſaying, (to thee I will give the keyes of the kingdome of Heaven) be common to others alſo, why are not the other ſayings ſo to? Saint *Hilary* ſaith, There is but one happy rocke of faith, which *Peter* confeſſed with his mouth. And again he ſaith, upon this confeſsion of *Peter* the Church is built: and a little after hee ſaith, This faith is the foundation of the Church. In like manner other Fathers, *Hierome*, *Cyrill*, *Beda*, ſay that the Church is built, not upon *Peter*, but upon his faith, that is, upon *Jeſus Chriſt* the ſonne of God, whom *Peter*, by divine inſpiration, confeſſed. *Peter* (ſaith *Auguſtine*) taketh his name from the rocke, not the rocke from *Peter*; neither will I (ſayth hee) build my ſelfe upon thee, but I will build thee upon mee. So alſo *Nicholas I ira* (though he be not alwayes a good author, for you know in what age he lived) ſaw thus much: Vpon this rocke, ſayth hee, that is, upon CHRIST. By this it appeareth, that the Church cannot rely wholly upon any man by reaſon of any power, or Eccleſiaſticall dignity, becauſe many Popes are knowne to be Apoſtats, have been Apoſtats.

Why